

04.07.2024
Court No. 18
Item No. 27 (ML)
(Suvendu)

WPA 5094 of 2022

Tumpa Debnath & Ors.

-Versus-

The State of West Bengal & Ors.

Mr. Suddhadev Adak

Ms. Richa Pramanik

.....for the petitioners

Dr. Sutanu Kr. Patra

Ms. Supriya Dubey

.....for the WBCSSC

Mr. Supriyo Chattopadhyay

Mr. Suman Dey

.....for the State

Petitioners participated in the selection process namely 1st SLST 2016 (Upper Primary) for being appointed as an Assistant Teacher in Government aided school in upper primary section. Petitioners were required to appear before the Grievance Committee on different dates in September and October, 2021 for consideration of candidatures which according to the petitioners could not be complied with since they were not put on notice. It is also submitted that applications were made in February, 2022 before the concerned authority

of the West Bengal Central School Service Commission for providing the petitioners second chance to deliberate before the Grievance Committee.

The prayer made in this writ petition is opposed by the learned advocate representing the Commission since it has been pointed out that as per the direction of the Hon'ble Court the candidates were required to appear before the Grievance Committee on different dates in September and October, 2021 failing which the candidates need to approach the concerned authority of the Commission within reasonable time for giving the petitioners second chance to deliberate before the Grievance Committee. It is also submitted that the hearing by Grievance Committee ended on 23rd December, 2021 and on the basis of notice uploaded on the official website of the Commission approximately fifteen thousand candidates appeared before the Grievance Committee.

Having considered the submissions made on behalf of the parties and on perusal of the materials available on record, it appears that petitioners were required to appear before the Grievance Committee in September and October,

2021. According to the petitioners, due to lack of notice they could not appear before the Grievance Committee on the fixed date and time. Applications seeking second opportunity to deliberate before the Grievance Committee were made in the month of February, 2022 which is after the last date fixed for hearing by the Grievance Committee.

It needs to be recorded herein that the grievance hearing finally ended on 23rd December, 2021 and the applications were made by the petitioners after the last date of grievance hearing process. Though petitioners alleged that they were not put on notice relating to date and time of hearing by the Grievance Committee, but from the submissions made on behalf of the Commission it appears that no candidate was served with notice. On the other hand, intimation was given to the candidates by indicating dates and time on the official website of the Commission based on which nearly fifteen thousand candidates appeared before the Grievance Committee.

In view of aforesaid scenario, this Court refuses to interfere with this writ petition.

Accordingly, the writ petition stands dismissed.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Saugata Bhattacharyya, J.)