

07.03.2024
Court No.13
Item No.6
pk

WPA 6428 of 2024

**Shampa Ghara
Vs.
The State of West Bengal and Ors.**

Sk. Rejaul Alam
... for the petitioner

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee
... for the State

Mr. Subir Sanyal,
Mr. Ratul Biswas,
Mr. Kaushik Chowdhury
... for the Board.

1. Supplementary affidavit filed in Court is taken on record.
2. The petitioner applied under the Recruitment Process pursuant to the Notification dated 29th September, 2022 issued by the WBBPE as B.Ed. candidate. She wishes to switch over her primary qualification to that of in course of D.El.Ed.
3. It appears from the D.El.Ed. certificate issued to the petitioner that she was a candidate for the year 2018-2020. The petitioner could not attend classes or appear for examination during the said period due to a severe medical condition.
4. She finally appeared for the Part I and the Part II D.El.Ed. examination in the year 2022 and was successful. A certificate has been issued by the WBBPE in December, 2022.

5. Mr. Sanyal, learned advocate appearing for the Board submits that the petitioner ought to be treated as a D.El.Ed. candidate of the year 2018-2020 since she has enrolled for such course. She therefore cannot be allowed to participate in the recruitment process.
6. In the backdrop of the fact, this Court finds that the petitioner could sit for the Part I and Part II examinations only in the year 2022 due to her previous medical indisposition. The WBBPE allowed her to do so and issued her a successful certificate. The petitioner shall therefore be treated as a candidate having D.El.Ed. certificate for the year 2020-2022. The petitioner shall be allowed to participate in the interview process.
7. Such interview process was going on and was due to be completed today. In several matter this Court has directed that the Board may conduct interview of candidates by 7th March, 2024 or any extended date.
8. In that view of the matter, let the petitioner be interviewed and participate in the aforesaid selection process.
9. The aforesaid participation of the petitioner shall be subject to the result of the Special Leave to Appeal (C) No. 12660 of 2023.
10. The writ petition is disposed of.
11. There will be no order as to costs.

12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)