

ML 32
04.07.2024
Ct. No. 18
adeb

W.P.A. 6323 of 2022

**Shyamal Das
Vs.
The State of West Bengal & Ors.**

Ms. Susmita Pal
Mr. Sarthak Barman
...for the petitioner

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
...for the WBCSSC

Petitioner participated in the selection process namely 1st State Level Selection Test 2016 Upper Primary for being appointed as an assistant teacher in a Government aided high school, in upper primary section. Petitioner was required to appear before the Grievance Committee on 23rd December, 2021 for consideration of the candidature of the petitioner which according to the petitioner, could not be complied with since he was not put on notice. It is also submitted that an application was made on 25th February, 2022 before the concerned authority of the West Bengal Central School Service Commission for providing the petitioner 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 candidate was required to appear before the Grievance Committee on 23rd December, 2021 failing which the candidate needs to approach the concerned authority of the Commission within reasonable time for giving the petitioner 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 petitioner was required to appear before the Grievance Committee on 23rd December, 2021. An application was made dated 25th February, 2022 which is precisely 2 (two) months after the date fixed for hearing by the Grievance Committee seeking second opportunity to deliberate before the Grievance Committee.

It needs to be recorded herein that the grievance hearing finally ended on 23rd December, 2021 and the application was made by the petitioner after the last date of grievance hearing process. Though petitioner alleged that he was 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 terms of the previous order the learned advocate for the Commission has filed a report today and the same is taken on record.

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 the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)