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19.09.2024
Court No. 3
D.Hira

WPA 12286 of 2021

**Aba Alamgir Rahaman & Ors.
Vs.
State of West Bengal & Ors.**

**Mr. Sudipta Dasgupta,
Mr. Bikram Banerjee,
Mr. Arka Nandi.**

... for the petitioners

**Mr. Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey.**

... for the WBCSSC

Mr. Shamimul Bari.

... for the State

1. Parties are represented.
2. The petitioners' grievance is with regard to the impugned order by dint of which his empanelment in the final panel, has been stalled on the ground of pendency of the present case.
3. Mr. Sudipta Dasgupta, learned counsel appearing for the petitioners has however, indicated to the fact that other similarly circumstanced candidates, who are in-service candidates like the present petitioners, have been considered and empanelled by the School Service Commission, in the said panel.
4. Dr. Sutanu Kumar Patra, learned counsel appearing for the West Bengal Central School Service Commission has submitted on instructions that since after disposal of the present writ petition, the School Service Commission would not be barred in any way to treat the matter of the present petitioners

similarly with the other in-service candidates, the present case may accordingly be disposed of.

- 5.** It is noted that so far as the other in-service candidates on similar footing, like the present petitioner are concerned, who have taken part in the instant process of recruitment, have already been empanelled by the School Service Commission in the panel finally published.
- 6.** Considering the facts and circumstances as above, the present writ petition is disposed of by directing the respondent School Service Commission, to take into consideration the grievance of the petitioners as envisaged in the present writ petition. In doing so, the respondent no.2 West Bengal Central School Service Commission should consider them to be treated similarly, with the other in-service incumbents, who have already been enlisted in the final panel, provided the petitioners are otherwise eligible. The West Bengal Central School Service Commission shall empanel their names in the finally published panel, when found fit and proper in this way.
- 7.** Let the School Service Commission take necessary steps in this regard within a period of fortnight from the date of communication of copy of this order.
- 8.** This writ petition being WPA No. 12286 of 2021 is disposed of, along with the pending applications, if any.

9. Urgent Photostat certified copy of this order duly downloaded from the official website of this Court upon compliance all legal formalities.

(Rai Chattopadhyay, J.)