

24-06-2024
ct no. 13
Sl. 36
sp

WPA 15475 of 2024
Aniket Bosu

-Versus-

The State of West Bengal & Ors.

Mr. Monoranjan Jana,
Ms. Mitali Jana

..for the petitioner

Mr. Saibal Acharyya,
Ms. Tanweer J. Mandal

...for the Chairman, DPSC, Purba Bardhaman

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury

..for the WBBPE

1. The Board as well as the DPSC, Purba Bardhaman have filed instructions in the form of report.
2. It appears from the rules of the West Bengal Board of Primary Education Act, 1973 that an MLA can be a Member of the DPSC concerned. The Members of the DPSC together elect a Chairman.
3. It is submitted by Mr. Acharya that the intimation to the teachers' association was only to publish information widely amongst all teachers concerned. The teachers' association has no role to play in the counseling process.

4. This Court does not wish to comment upon the same since the rules themselves are not under challenge before this Court. The same shall be considered in an appropriate proceeding.
5. The DPSC, Purba Bardhaman, however, indicates in the Jamalpur East Circle that there are 70 primary schools of which 22 have existing head teachers. There were 48 vacancies. Upon willingness being invited from the Assistant Teachers, the S.I. of Schools received consent from about 61 teachers. Since there were only 48 vacancies, the first 48 in the list were approved by the Chairman, DPSC, Purba Bardhaman. It is submitted that out of the said 48 names, 9 persons withdrew their consent and one has died. Accordingly, only 38 appointments have been made from willing teachers in the counseling. There are 10 more vacancies. The petitioner at serial no. 51 would stand third in the list of 61 persons prepared in order of seniority. The petitioner would definitely come under the zone of consideration for counseling which is to be initiated shortly by the DPSC.
6. Based on the aforesaid submissions of Mr. Acharya, this Court reasonably expects that

the counseling process for filling up the balance 10 vacancies are conducted as expeditiously as possible and the petitioner is invited to participate in such counseling as he would be entitled to.

7. With the aforesaid directions, the instant writ petition shall stand disposed of.
8. There shall be no order as to costs.
9. 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.)