

18-09-2024
Item No.11
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.14923 of 2013
Tanusree Bag

-vs-

The State of West Bengal & Ors.

Md. M. Nazar Chowdhury
Ms. Sanchayita De
Mr. M.A. Salik ...for the petitioner

Mr. Biswabrata Basu Mallick
Mr. Sayan Ganguly ...for the State

Mr. Ratul Biswas
Mr. K. Chowdhury ...for DPSC, Howrah

The petitioner in this writ petition alleges that she participated in the recruitment process for appointment of a primary school teacher in the year 2009. She was selected and empanelled, but could not get appointment till date.

She relies upon an order dated April 9, 2024 passed by a coordinate Bench of this court in a batch of writ petitions, the first of which is WPA No.3268 of 2015 with **CANs No.2 and 3 of 2022 and CANs No.4 and 5 of 2023 (Sourav Naskar & Ors. v. State of West Bengal & Ors.)**.

The court in the said case recorded, upon instructions received from the learned advocate representing the District Primary School Council, Howrah, that there were 151 vacancies under the said Council for the post of assistant teacher. The said vacant posts would be filled up first; and if any more writ petitioners were left for appointment, they would be

issued appointment letters as and when vacancies would arise subject to production of original documents of participation in the de novo examination. Each of the writ petitioners in the said writ petitions filed till March 31, 2024 would be entertained and the appointment would become effective from the date of issuance of the appointment letter. There would be no claim towards arrears.

Fortified by the above decision, it is submitted on behalf of the petitioner that she filed the writ petition in the year 2013 and that she ought to get the benefit in the light of the order passed in the case of Sourav Naskar & Ors. (supra).

Learned advocate representing the Council submits, upon instructions, that the Council has taken steps to act in terms of the order dated April 9, 2024 (Sourav Naskar & Ors.).

In view of the above, the instant writ petition is disposed of directing the Howrah District Primary School Council, the fourth respondent herein, to take steps in terms of the order dated April 9, 2024 passed in the case of Sourav Naskar & Ors. (supra) and apply the same in respect of the petitioner's case.

WPA No.14923 of 2013 stands disposed of.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]