

31.07.2024
Ct. No. 14
Sl. No.15
KB

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 16988 of 2024

**Analdeb Banerjee & Ors.
-versus
The State of West Bengal & Ors.**

Mr. Chittapriya Ghosh
Mr. Somesh Ghosh
... For the petitioners.

Mr. Bhaskar Prasad Vaisya
Mr. Ranjan Saha
... For the DPSC, 24 Parganas(S).

Mr. Ratul Biswas
Mr. Kaushik Chowdhury
... For WBBPE.

Affidavit of service filed in Court today be retained with the record.

The petitioner participated in the recruitment process of primary school teachers initiated by the West Bengal Board of Primary Education in the year 2022.

Allegation is that several in-service candidates have been allowed to participate in the recruitment process and even appointment letters issued in their favour.

The petitioner refers to the order dated 1st March, 2023 passed by this Court in WPA 24562 of 2022

(Manidipa Purkait & Ors. vs. The State of West Bengal & Ors.) wherein the Court passed an interim order restraining the respondents from permitting the in-service candidates to get opportunity to be selected against a vacancy in the selection process of 2022.

The Court further directed that in-service candidates who have been given opportunity to appear in the interview shall not be allowed any further in the said recruitment process either for recommendation or for appointment.

According to the petitioner, several hundreds of in-service candidates have been recommended and appointment letters issued in their favour.

Prayer has been made for directing the Board to exclude the said candidates from the panel and to recast the panel.

On a perusal of the writ petition it appears that the details of the in-service candidates who have been alleged to be recommended and appointed are missing. The petitioners never made any representation before the Board disclosing the details of the said candidates who were appointed contrary to the direction passed by the Court.

The Court is of the opinion that till the aforesaid details are placed before the authority for taking a decision, the writ petition will not be maintainable.

Opportunity ought to be given to the authority to rectify any error which may have crept up in the process.

The writ petition is also lacking the relevant details required for proper adjudication of the instant case.

In view of the above, the reliefs sought for by the petitioners cannot be allowed.

The writ petition accordingly fails and is hereby dismissed.

Dismissal of the writ petition will, however, not stand in the way of the petitioners to disclose the details of the candidates appointed contrary to the order passed by this Court on 1st March, 2023 in WPA 24562 of 2022 to the Board for taking necessary action in the matter.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)