

Court No. 17

WPA 19134 of 2023

03.01.2024

(AD 200)

(S. Banerjee)

Arun Kumar Das

Vs.

The State of West Bengal & Ors.

Ms. Gopa Biswas
Ms. Payel Shome
Ms. Samptiri Saha
Ms. Purba Mukherjee
Ms. Mohona Das
Mr. Avijit Kar

... for the petitioner

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee

... for the State

Mr. Saikat Banerjee
Mr. Kaushik Chowdhury

... for the WBBPE

Let the affidavit of service filed in court today be kept with the record.

The petitioner's grievance is that he could not produce the Other Backward Classes Certificate for the reason that the certificate was not given by the stipulated time, i.e., four months from the date of the notification declaring his class as Other Backward Classes. Such notification was published on 11.07.2022. The petitioner appeared in TET 2022 which was conducted on 10.12.2022. As he did not file the class certificate at that point of time, he was declared himself as a General Candidate. However, when the petitioner's class was declared within Other Backward

Classes by notification dated 11.07.2022, i.e., nearly five months before the TET 2022, the petitioner should not be deprived of the advantages given to Other Backward Classes.

Therefore, I direct the West Bengal Board of Primary Education, who is appearing today, to treat the petitioner as a candidate of OBC-B category and to give him all advantages of a reserved category candidate.

With this observation and direction, this writ application is allowed.

(Abhijit Gangopadhyay, J.)