

05.07.2024
Court No. 18
Item No. 04
(Suvendu)

WPA 20760 of 2022

Rita Karmokar
-Versus-

The State of West Bengal & Ors.

Mr. Mikteswar Maiti
Mr. Prabir Rej
Mr. Pranab Kumar Das
Mr. Manika Sarkar
.....for the petitioner

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
...for the WBCSSC

The writ petition is heard in presence of the learned advocates representing the petitioner and the West Bengal Central School Service Commission.

The grievance of the petitioner is though petitioner applied in 1st SLST 2016 (Upper Primary) for being appointed as an Assistant Teacher in upper primary section in Government aided school, she was not considered by the Commission while preparing the panel. It has been submitted by the learned advocate representing the petitioner that after making application before the Commission nothing was communicated to the petitioner with regard to

the fate of her application. It is also submitted that reason for non-consideration of candidature of petitioner till date has not been disclosed.

On the contrary, Dr. Patra, learned advocate representing the Commission has submitted that eligibility criteria for being appointed as an Assistant Teacher through 1st SLST 2016 (Upper Primary) requires training qualification which needs to be obtained within the cut off date fixed by the Commission that is 24th October, 2016.

Attention of this Court has been drawn to the application of the petitioner which is at page 46 of the writ petition, wherefrom it appears that though petitioner applied for participating in 1st SLST 2016 (Upper Primary) but while describing her qualification she left the place designated for indicating training qualification vacant in the application form.

Therefore, the Commission submits that petitioner is not eligible to be considered for appointment in the post of Assistant Teacher in upper primary section in connection with the aforesaid selection process.

Having considered the submissions made on behalf of the parties and on perusal of the

materials available on record including the application of the petitioner which is at page 46 of the writ petition, it appears that petitioner could not fill up the relevant part of the table to describe her performance in teacher training examination (B.Ed./ D.El.Ed., etc.) which goes to show petitioner is an untrained candidate.

Question arises for consideration is whether an untrained candidate should have been considered by the Commission while preparing panel based on the performance of the respective candidates in 1st SLST 2016 (Upper Primary). In order to answer this issue, on behalf of the Commission advertisement being no. 01/TET/15 dated 10th June, 2015 has been relied upon and a copy of the said advertisement was placed before this Court on the last occasion. The eligibility criteria which has been prescribed under Clause 9 of the said advertisement dated 10th June, 2015 clearly prescribes that the candidate is required to possess training qualification.

Since in the present case petitioner could not obtain training qualification within the cut off date, she was not found eligible to be

considered for being appointed as an Assistant Teacher in upper primary section.

In the above conspectus, this Court does not find merit in this writ petition and the same is accordingly dismissed, without any order as to costs.

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

(Saugata Bhattacharyya, J.)