

*In The High Court At Calcutta
Constitutional Writ Jurisdiction*

W.P.A. 28707 of 2024

**Nivedita Mondal Biswas
Vs.
The State of West Bengal & Ors.**

Mr. Debnath Mahata ... For the petitioner.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee ... For the State.

Mr. Arnab Saha ... For the respondent no. 3.

Affidavit-of-service filed on behalf of the petitioner be kept with the record.

The Narainpur Mission Girls Junior Basic School, a Christian Minority School, had initiated a recruitment process for filling up of seven vacancies in the post of Assistant Teacher of the said school.

The petitioner had participated in the said selection process and was selected, but her appointment was not confirmed by the District Inspector of Schools (P.E.), Birbhum, the respondent no. 4 herein, on the ground of defect in the recruitment notice.

The school authority has decided to compensate all the teachers so appointed, except the petitioner, all of them have accepted it.

The said school had initiated a new selection process for the said post, the petitioner though had participated, but could not succeed.

The petitioner is praying that the new selection process be quashed.

Heard learned counsel for the parties, perused the materials-on-record.

The earlier selection process, being defective, was set aside, such decision has attained finality, thereafter a new selection

process was initiated and as it appears from the record, the same is also complete, therefore the said selection process cannot be re-opened, particularly, the petitioner after participating in the new selection process, and on being unsuccessful, is not entitled to question the veracity of it.

W.P.A. 28707 of 2024 is accordingly dismissed without any order as to costs.

The petitioner, however, is at liberty to approach the said school to have the compensation disbursed in her favour in the same manner and quantum given to other teachers, appointed following the earlier selection process.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)