

11.04.2025
SI No.4
Court No.8
(gc)

**FMA 214 of 2025
CAN 1 of 2025**

**Sandip Chakravarti & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Balai Lal Sahoo,
Mr. Surajit Samanta,
Mr. Manoranjan Mahato,
Ms. Sohini Samanta
...for the Petitioners/Appellants.
Mr. Santanu Kr. Mitra, Sr. Govt. Adv.,
Mr. Subhabrata Das
....For the State.

1. This appeal is arising out of an order dated 12th November, 2024 in which the writ petitioners have prayed for a direction upon the State to publish advertisement and initiate selection procedure for appointment of Assistant Teachers in Classes-IX, X, XI and XII in course of hearing before the learned Single Judge. It appears that the West Bengal Central School Service Commission had submitted that presently the Commission is not in a position to take steps based on notice dated 5th May, 2022 since the issue relating to selection process for appointment of Assistant Teachers in Classes IX, X, XI and XII, namely, 1st SLST, 2016 (Classes IX, X, XI and XII) is not concluded and the issue is presently

pending before the Hon'ble Supreme Court for consideration. On such perspective, the learned Single Judge observed that it completely depends upon the decision of the State respondents including West Bengal Central School Service Commission as to when and what manner they are to initiate selection process for filling up the posts of Assistant Teachers in Classes IX, X, XI and XII.

2. On such consideration, we do not find any reason to interfere with the order passed by the learned Single Judge.
3. The appeal and the connected application are dismissed.
4. The learned Counsel for the petitioners/appellants has submitted that since the matter has been disposed of by the Hon'ble Supreme Court on 3rd April, 2025, there may not be any embargo now upon the State respondents to initiate fresh selection process. It is for the State to decide when to initiate selection process as per the direction of the Hon'ble Supreme Court of India. The said issue could not have been before the learned Single Judge and is also not the issue before this Court.

5. The learned Counsel further submits that dismissal of the appeal may preclude their right from seeking appropriate order for enforcement of the Memo no.238-SE(LAW)/SL/5S-177/2024. We make it clear that we have not decided this issue.
6. However, there shall be no order as to costs.
7. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Soumen Sen, J.)

(Smita Das De, J.)