

**WPA 1367 of 2010
(CAN 11 of 2025)**

13.5.2025

Manju Das(Dey) & Ors. -vs- The State of West Bengal & Ors.

Ct.25,sl.
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sk

Mr. Narayan Chandra Mandal
Mr. Bhaskar Mndal
Ms. Sipra Maity
Ms. Niva Mandal
...for the petitioners.

1. In this case the petitioners have prayed for being considered for appointment, by the Chairman, North 24-Parganas, District Primary School Council.
2. The petitioners have stated that their names were sponsored by the Employment Exchange in the year 2006. However, when District Primary School Council, North 24-Parganas conducted the written examination, some other persons, who were not sponsored by the Employment Exchange, were also permitted to sit in the examination. In this regard, learned advocate appearing for the petitioners has relied on the notification being No. 459 Edn(P) dated Cal. 4/7 August, 1981. He has submitted that panel should be prepared by the District School Board/District Inspector of Schools, Primary Education from amongst the persons whose names have been obtained from the Employment Exchange of the District. That in accordance with the said notification dated 4/7 August, 1981, no other person should be allowed to take part in examination or be empanelled.

3. He would say that in view of such provision having been made by dint of the notification as above, and also in view of the judgment of the Hon'ble Supreme Court reported in 1998(I) CHN 544(Debasis Dutta vs. State of West Bengal), the petitioners, who are sponsored by the Employment Exchange, would only be eligible for being empanelled and appointed.

5. None appears in this case for the respondent Authorities.

6. Record reveals that pursuant to an order of this Court passed in some other writ petition, the petitioners therein i.e. the persons whose names were not sponsored by the Employment Exchange were allowed to sit in the written examination conducted by the respondent no. 4 for appointment of teachers in the Primary Schools in the District.

7. The present petitioners appear to be the unsuccessful candidates in the said process.

8. Learned advocate for the petitioners has further submitted that there are very many vacant posts still lying, for which the petitioners' names, can be considered for appointment by the said respondent.

9. Let this writ petition be disposed of by directing the respondent no. 4, to consider the instant writ petition as the representation of the writ petitioners before it and decide upon that in accordance with law. For this

the petitioners shall have to submit a copy of the writ petition with all its annexures before the respondent no. 4.

10. The respondent no. 4 shall decide by dint of a reasoned order as to the prayer of the writ petitioners as above, within a period of eight weeks from the date of supply of copy of the writ petition to him and after affording opportunity of hearing to the petitioners.

11. With the above observations and directions the writ petition being WPA 1367 of 2010 is disposed of.

12. Since no affidavit is invited, the allegations contained in the petition are deemed to have been denied by the respondents including the private respondents.

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

(Rai Chattopadhyay, J.)