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19.5.2025
Ct. No. 8
SB

MAT 264 of 2025
CAN 1 of 2025
CAN 2 of 2025

Dhrubjyoti Banerjee
Vs.
The State of West Bengal & Ors.

Mr. Debabrata Karan
Ms. Sabita Khutia (Bhunya)
Mr. Debopriyo Karan ... for the appellant

Mr. Biswabrata Basu Mallick, Ld. AGP
Mr. Sanjib Das ... for the State

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey ... for the W.B.C.S.S.C.

CAN 1 of 2025 (Section 5)

1. There is a delay of 130 days in filing the appeal.
2. We are satisfied with the explanation offered for not being able to file the appeal within the period of limitation. The delay of 130 days is condoned.
3. Accordingly, the application for condonation of delay is allowed and disposed of.

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4. The matter relates to the participation of the appellant in first State level Selection Test 2016 (Upper Primary). The grievance of the appellant is that he could not participate before the Grievance Committee in connection with the grievance raised relating to the petitioner's uploading of testimonials in the second phase of selection process started from Rule 12(2) stage.
5. In the writ petition the petitioner has prayed for a direction upon the authorities concerned to permit him to appear again

before the West Bengal Central School Service Commission for appraisal of his candidature.

6. Learned counsel appearing on behalf of the appellant has relied upon the decision of single Bench in WPA 17758 of 2021 dated 11.11.2021 to show that in a similar situation Rama Garain, the writ petitioner who could not appear with the Grievance Committee was allowed.
7. Dr. Patra, learned counsel appearing on behalf of the WBCSSC submits that the commission could have considered the application of grievance of the writ petitioner / appellant provided that the appellant approached the Court on or before December 2021 as the entire process of hearing by the Grievance Committee was concluded by that time, whereas the writ petition was filed in the year 2022.
8. It appears that the writ petitioner / appellant was given an opportunity to appear before the Grievance Committee on 04.10.2021 when the writ petitioner had remained absent.
9. In view thereof, the Grievance Committee could not address the objection raised by the appellant with regard to the appellant uploading the testimonials in the second phase of selection.
10. In view of the aforesaid, we are not inclined to interfere with the impugned order. Accordingly, the appeal and the application are dismissed.
11. However, there shall be no order as to costs.

(Soumen Sen, J.)

(Smita Das De, J)