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June 2025
18.06.2025
Court No.17
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 5816 of 2024

Pradip Kumar Bandyopadhyay

Vs.

The State of West Bengal & Ors.

*Mr. Partha Deb Barman,
Mr. Abdus Salam*

...for the Petitioner.

*Mr. Swapan Kr. Datta, Sr. Adv. & AGP,
Mr. Dipankar Das Gupta*

...for the State.

*Mr. Subhrangsu Panda,
Mrs. Ina Bhattacharyya,
Mrs. Mithu Singha Mahapatra*

..for the West Bengal College Service Commission.

The West Bengal College Service Commission, by an advertisement dated July 31, 2015 had invited applications from eligible candidates for recruitment in the posts of 'Principal' at different Government-Aided Colleges (General Degree Colleges) in the State.

The petitioner had participated in the said selection process and was selected, consequently vide recommendation Memo No. 353/1(2)/Prin-BD/recom/csc/16, dated October 20, 2016, he was recommended for appointment as Principal of Banwarilal Bhalotia College, Asansol, District – Paschim Bardhaman.

On the basis of the complaint lodged by the erstwhile Teacher-in-Charge of the said college, a criminal case being Asansol South Police Station Case No. 520 of 2016 dated December 15, 2016 under Sections 420/471/468 of the Indian Penal Code since was registered against the petitioner; as a consequence, the Commission had withdrawn the said recommendation. However, the petitioner, ultimately, on June 05, 2023 was acquitted in the said criminal case.

The petitioner is praying that in view of his acquittal in the said criminal case, the withdrawal of the recommendation be recalled, alternatively, he may be re-recommended for the post of Principal at Vivekananda Mahavidyalaya, Post Office – Mirchoba, Sripally, Chhotonilpur, District – Purba Burdwan as the said post is still lying vacant.

Mr. Panda, learned advocate for the commission submits that the post in respect of which the petitioner was recommended has already been filled up; however, the alternative prayer of the petitioner can be allowed since the said post is lying vacant.

Having heard the learned advocate for the parties and on perusal of the materials on record, particularly in view of the availability of post of Principal in a Government-aided College, the West Bengal College Service Commission is directed to issue a fresh recommendation to the petitioner for appointment in the post of Principal at Vivekananda Mahavidyalaya, Post Office – Mirchoba, Sripally, Chhotonilpur, District – Purba Burdwan with effect from the date of issuance of such recommendation.

W.P.A. 5816 of 2024 is disposed of with the above terms without any order as to costs.

Mr. Deb Barman, learned senior counsel for the petitioner submits that in view of the present order, his client undertakes to withdraw himself as one of the petitioners from W.P.A. 11488 of 2023 within a period of seven days from date.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Biswajit Basu, J.)