

17.03.2025  
Court No.13  
Item No.7  
sudipta

**AST 100 of 2016  
With  
IA No. ASTA 1 of 2016 (Old No. ASTA 32 of 2016)**

**Rupak Mondal & Ors.  
Vs.  
State of West Bengal & Ors.**

Mr. Shamim Ul Bari.

...for the appellant

1. The appeal is directed against judgment and order dated 8<sup>th</sup> March, 2016 where notification dated 13<sup>th</sup> January, 2016 issued by the School Education Department (Secondary Branch), Government of West Bengal, came to be challenged.
2. By reason of the said notification, amendment was affected to sub-Rule 4 of Rule 6 of the 2015 Recruitment Rules. The amendment was to the effect that in-service graduate or honours graduate or post graduate in work education and physical education teachers would be eligible for selection for appointment to higher category posts for the SLST for the year 2015 onwards.
3. The challenge was repelled by the Single Bench. During the pendency of this appeal, the appellants were permitted by interim order to participate in the selection process.

4. Since the selection process is of the year 2015.  
The appeal may have become infructuous by efflux of time. In any event, this Court cannot find fault with the impugned order. It is indeed within the domain of the State to effect amendment to existing recruitment rules that clearly, in the view of this Court as well as the Single Bench, do not affect any existing rights of the appellants.
5. In that view of the matter AST 100 of 2016 is dismissed having become infructuous by efflux of time.
6. All connected pending applications, if any, shall stand disposed of.
7. There shall be no order as to costs.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Rajasekhar Mantha, J.)**

**(Ajay Kumar Gupta, J.)**