

22
19.05.2025
Ct. No. 18
adeb

W.P.A. 8574 of 2025

Ankita Panda
Vs.
The State of West Bengal & Ors.

Mr. Anindya Bose
Mr. Santanu Maji
Mr. Subhayu Das
Ms. Debrani Mondal
Ms. Rima Banerjee
...for the Petitioner
Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
...for the State
Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
...for the WBCSSC

Affidavit of service filed on behalf of the petitioner is taken on record.

Matter is taken up for consideration in terms of order dated 1st May, 2025 in order to decide whether it is an appropriate case to extend the validity of recommendation memo dated 6th March, 2025 issued in favour of the petitioner by the Chairman, West Bengal Central School Service Commission.

Petitioner is a selected candidate for being appointed as an Assistant Teacher in Upper Primary Level of Classes based on 1st State Level Selection Test 2016 (Upper Primary) and

recommendation memo was issued on 6th March, 2025 by the Chairman, West Bengal Central School Service Commission. However, petitioner is expecting baby soon as a result whereof at present she is not in a position to join the post of assistant teacher as per said recommendation memo dated 6th March, 2025. In support of same copy of the medical certificate dated 14th May, 2025 is placed before this Court which is taken on record.

From the said medical certificate dated 14th May, 2025 it appears that in past petitioner had two miscarriages and she is also suffering from fibroid uterus.

It is further submitted on behalf of the petitioner due to present medical condition of the petitioner she is not in a position to join the post of assistant teacher and prayer is made for extending the validity of recommendation memo dated 6th March, 2025 which would enable her to join the post.

During course of submission notice of this Court has been drawn to Rule 17 of the West Bengal School Service Commission (Selection for Appointment to the Posts of Teachers for Upper Primary Level of Schools) Rules, 2016 wherein it

is provided under sub-rule 3 that recommendation letter shall remain valid for a period of ninety days from the date of issue and as per proviso to Rule 17(3) it is further provided that the Regional Commission may, if it thinks expedient to extend the validity of the recommendation beyond the period of ninety days for any reasonable cause, for the reasons to be recorded in writing, extend the period of validity of such recommendation letter for a further period not exceeding sixty days.

It is submitted on behalf of Commission that a decision needs to be taken by the Chairman, West Bengal Central School Service Commission whether it is a fit case to extend the validity of recommendation in terms of the provision as contained in Rule 17(3) of the aforesaid Rules of 2016 or not.

Chairman, West Bengal Central School Service Commission being respondent no. 4 is directed to pass an appropriate order for extending the validity of recommendation memo dated 6th March, 2025 since petitioner is now medically not fit to join the post of assistant teacher in terms of the said recommendation memo dated 6th March, 2025. Such order shall be

passed by respondent no. 4 in terms of Rule 17(3) of the aforesaid Rules of 2016 within a period of 4 (four) weeks from the date of communication of this order. For expressing satisfaction on that issue of extending validity of recommendation memo respondent no. 4 shall be at liberty to ask for submission of supporting medical document, if necessary, which will be submitted on behalf of the petitioner by her representative before taking such decision. The decision to be taken by respondent no. 4 shall be communicated to the petitioner by fortnight thereafter. For a period of 8 (eight) weeks from date post where petitioner has been recommended vide memo dated 6th March, 2025 shall not be filled up, if same has not been filled up in the meantime.

Writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)