

W.P.A. 12569 OF 2025

**Biva Mondal
Vs.
The State of West Bengal & Others**

Mr. Ekramul Bari, Sr. Adv.
Mr. Sk. Intiaj Uddin, Adv.

...for the Petitioner

Dr. Sutanu Kumar Patra, Adv.
Ms. Supriya Dubey, Adv.

...for W.B.C.S.S.C.

Petitioner was recommended for being appointed as an Assistant Teacher in consideration of her participation in 1st State Level Selection Test, 2016 (Upper Primary) *vide* recommendation memo dated 11th November, 2024. Petitioner has prayed for extension of validity of recommendation in terms of Rule 17(3) of the West Bengal School Service Commission (Selection for Appointment to the Posts of Teachers for Upper Primary Level of Schools) Rules, 2016 (hereinafter referred to as '*2016 Rules*').

It is submitted that petitioner was working as an Assistant Teacher when recommendation was made on 11th November, 2024 since she was selected in 1st State Level Selection Test, 2016 for classes IX and X as a result whereof in spite of invitation came from the school where petitioner was recommended in terms of memo dated 11th November, 2024 for verification of testimonials before issuance of appointment letter, she did not turn up. Subsequently, petitioner lost her job in terms of the judgment of the Hon'ble Supreme Court dated 3rd April, 2025 and an application for extension of validity of recommendation was made by the petitioner on 7th April,

2025 based on which prayer is made to extend the validity of recommendation dated 11th November, 2024 on the strength of Rule 17(3) of 2016 Rules.

Dr. Patra, learned advocate representing West Bengal Central School Service Commission has drawn notice of this Court to a document at page 24 of the writ petition wherefrom it appears that school authority of Garifa Girls' High School (H.S.), North 24 Parganas had requested the petitioner based on recommendation dated 11th November, 2024 for document verification prior to issuance of appointment letter which petitioner declined as a result whereof appointment letter could not be issued. It is also submitted that period of ninety (90) days as it is contemplated under Rule 17(3) of 2016 Rules expired in the month of February, 2025 and an application was made by the petitioner for extension of validity of recommendation on 7th April, 2025.

In consideration of respective submissions made on behalf of the parties, it appears that petitioner was issued recommendation memo dated 11th November, 2024 thereby permitting her to join the post of Assistant Teacher in Garifa Girls' High School (H.S.), North 24 Parganas. On receipt of recommendation memo school authority by issuing letter requested the petitioner to appear before the school authority for document verification prior to issuance of appointment letter but petitioner did not turn up since

she was working as an Assistant Teacher in another school pursuant to her selection in 1st State Level Selection Test, 2016 for classes IX and X.

Today the sole consideration before this Court, is whether validity of recommendation memo which was issued on 11th November, 2024 can be extended on applying the provisions under Rule 17(3) of 2016 Rules in order to accommodate the petitioner in the post where she was recommended or not.

On consideration of the facts, it appears that effort was made by the concerned respondent authorities including the authority of Garifa Girls' High School (H.S.), North 24 Parganas to give effect to the recommendation memo dated 11th November, 2024 but at the material point of time appointment in favour of the petitioner could not be offered since petitioner did not cooperate. Therefore there was no lapse on the part of the respondent authorities in giving effect to the recommendation memo rather effort was made to give effect such recommendation memo which could not be completed since petitioner did not comply with the letter issued by the school authority for verification of her testimonials.

Therefore no relief can be granted to the petitioner.

Hence, writ petition stands dismissed.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)