

07.03.2025
Court No. 25
S.G. (p.a)

WPA 11947 of 2014

Bidhan Chandra Mondal
Vs.
The State of West Bengal & Ors.

Ms. Sibangi Chattopadhyay
Ms. Momotaj Begam
... for the Petitioner.

Mr. Pinaki Dhole
Mr. Prasanta Behari Mahato

... for the State.

Dr. Sutanu Kr. Patra,
Mr. Supriya Dubey
...for the WBCSSC

1. The writ petitioner has been working as a ‘*Shikhabandhu*’ of Murshidabad Circle Level Resource Centre [CLRC], under the ‘*Sarba Shiksha Aviyan*’, since January 9, 2008. He has applied in response to the advertisement dated December 29, 2011 and appeared in the 12th Regional Level Selection Test, form Northern Region. The petitioner has taken part in the Personality Test on August 20, 2011 and also in first round of Counselling. But he has never been granted with a letter of recommendation by the respondent Commission. Hence, being aggrieved, the petitioner has filed the instant writ petition.
2. Ms. Chatterjee has represented the writ petitioner. She has submitted that the petitioner having been a ‘*Shikhabandhu*’ and appeared in the examination, would have been eligible for being considered against the 10% reserved posts for the category of candidates

being para-teachers, 'Sikhhabandhu', 'Sikhhamitra', 'Sikhhasebi', 'Sahayak', 'Sahayika', 'Samprasarak', 'Samprasarika' under the '*Sarba Shikhha Aviyan*', in terms of Notification No.1584-SE(S)/1A-01/09(pt) dated December 21, 2011 [in short "No.1584"]. Allegedly, neither the advertisement has been published in terms of the said Notification No.1584, nor the provisions thereof has been followed by the respondent Commission, in the process or while granting recommendations. Hence, the petitioner has contended that the entire process of selection is illegal and is liable to be cancelled.

3. According to the respondent, however, the process was started not in terms of the Notification No.1584 but by virtue of the subsequent Notification No. 1585-SE(S)/ES/S/1S-26/2010(Part) dated December 21, 2011 [in short "No.1585"], being published on December 23, 2011. It is submitted that the advertisement was published in terms of the said Notification No.1585. Also that the provisions thereof has been duly maintained in the selection process. Hence, the writ petition is unfounded and no interference of the Court is required.

4. By dint of the Notification No. 1585, the West Bengal School Service Commission (Selection of Persons For Appointment to the Post of Teachers) Rules 2007 has been amended. The advertisement for the selection test was published on December 29, 2011, pursuant to the said Notification No. 1585. The said

Notification No. 1585 is not under challenge in this writ petition. Also that the same has not provided for any reservation or other benefit for an incumbent, who appears in the examination after having served as a '*Shikhabandhu*'. Considering these aspects, the Court does not find merit in the contentions or prayer of the writ petitioner in this case.

5. For the reasons as above, the instant writ petition stands dismissed.

(Rai Chattopadhyay, J.)