

09-12-2025
Item No.9
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.13229 of 2025

Mistu Saha

-vs-

The State of West Bengal & Ors.

with

CAN No.1 of 2025

Mr. Sakti Pada Jana
Ms. Sudipta Pramanik ...for the petitioner

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey ...for the Commission

1. Opposition filed on behalf of the West Bengal Central School Service Commission in Court be taken on record.
2. The facts relating to the instant case are more or less similar to the facts in the case of Mukti Biswas -vs- The State of West Bengal & Ors. which has been decided by a coordinate Bench of this Court on June 9, 2025 in WPA No.9980 of 2025.
3. The present status of the writ petitioner is that of a job-loser, in view of the order passed by the Hon'ble Supreme Court on April 3, 2025 in the matter of State of West Bengal -vs- Baishakhi Bhattacharyya (Chatterjee) & Ors (Special Leave Petition (Civil) No.9586 of 2024).
4. The petitioner seeks for a direction upon the West Bengal Central School Service Commission to permit her to participate in the counselling process for the upper primary teachers.

5. It has been brought to the notice of the Court that in compliance of the order passed by the Court, counselling of 1242 candidates is going on.
6. The order passed by the Hon'ble Division Bench on November 25, 2025 in MAT No.1512 with IA No.CAN 1 of 2025 (The West Bengal Central School Service Commission & Anr. -vs- Arpita Pramanik & Ors.) has been brought to the notice of the Court where the Hon'ble Division Bench was pleased to hold that even after accommodation of the said 1242 candidates, if there are existing vacancies then the same may be permitted to be filled up by allowing candidates to participate in the counselling process, subject to availability of matching vacancies.
7. The direction passed by the Hon'ble Division Bench is reiterated in this matter.
8. It is directed that if after completion of counselling of the 1242 candidates any vacancy subsists, then the petitioner may be permitted to participate in the counselling process subject to availability of matching vacancies.
9. The writ petition stands disposed of.
10. As the writ petition is disposed of, consequently its interim application – CAN No.1 of 2025 – also stands disposed of.
11. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
12. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

