

M/L 322
24.02.2025
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 14868 of 2024

Sri Ranjan Kumar Ghorai
Vs.

The State of West Bengal & Ors.

Mr. Shaunak Ghosh
Ms. Paramita Mondal

...for the Petitioner.

Mr. Sougata Mitra
Ms. Subhasri Chatterjee

...for the State.

Mr. Samiran Giri

...for the DPSC, Purba Medinipore.

Mr. Ghosh, learned advocate for the petitioner files the exception to the report of the Chairman of the Purba Medinipore District Primary School Council, the respondent no.5 herein; let it be kept with the record.

The petitioner while was working as an Assistant Teacher at Ramchak Gopalchak Primary School, a school under Contai East Circle of the Council, a panel of Head Teacher according to the seniority of the Assistant Teachers was prepared. The name of the petitioner was included in the said panel and he was recommended for appointment as the Head Teacher at Bhabanipur Primary School, a school under the same Circle of the Council.

The petitioner by a representation dated March 22, 2024 had requested the respondent no.5 to hold counseling before recommending him as a Head Teacher of any school. The grievance of the petitioner is that the said prayer was not considered.

It appears from the report of the respondent no.5 that the petitioner to maintain PTR of the schools of the said Circle was transferred to Champatala Primary School. However, the said order of transfer subsequently was withdrawn and he was directed to join to his earlier school, i.e., Ramchak Gopalchak Primary School.

The petitioner is praying that he should be given appointment as Head Teacher in a school which has been listed in the preferred listed school as provided by the petitioner in his application form.

Mr. Ghosh submits that even if the opportunity of choosing a school is not given to the petitioner but the petitioner since was not allowed to join in the recommended school as Head Teacher, he should be given a further chance to make a choice of a school and the recommendation for his appointment as Head Teacher to the said school be made accordingly.

Mr. Giri, learned advocate for the Council submits that there is no scope for counseling in the appointment of Head Teachers of the primary schools, he emphatically denies that the petitioner was prevented to join in his recommended school.

Heard learned advocates for the parties, perused the materials on record.

There is no provision for counseling in appointing the Head Teacher in a primary school; seniority is the only relevant consideration. The recommendation for appointment in the post of Head Teacher remains valid for a particular period and the said period has expired, besides the allegation of the petitioner that he was prevented from joining the recommended school is not supported by any material. Therefore, the prayer of the petitioner for appointment as Head Teacher in a school of his choice is misconceived as such rejected.

Accordingly, WPA 14868 of 2024 is dismissed without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)