

W.P.A. 13864 of 2025

**Rakib Islam
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Pritha Biswas ...for the petitioner
Ms. Noelle Banerjee ...for the State
Mr. Sourav Mitra ...for the WBCSSC

1. Petitioner participated in both the selection processes namely 1st State Level Selection Test, 2016 (hereinafter referred to as '*1st SLST, 2016*') for classes IX & X and 1st SLST, 2016 for upper primary level of classes in order to become an approved Assistant Teacher of a Government aided school. In both the aforesaid selection processes petitioner was selected and recommended for being appointed as Assistant Teacher. Petitioner opted to work as Assistant Teacher for classes IX and X which in terms of service benefits and emoluments is better option than the benefits and emoluments which are available to a teacher of upper primary level of classes. Petitioner worked as Assistant Teacher for classes IX and X for considerable period of

time but he lost job in terms of judgment of the Hon'ble Supreme Court dated 3rd April, 2025 passed in ***State of West Bengal Vs. Baishakhi Bhattacharyya (Chatterjee) & Ors.*** Petitioner was also recommended by the Chairman, West Bengal Central School Service Commission (hereinafter referred to as '*Commission*') *vide* memo dated 22nd November, 2024 for being appointed as Assistant Teacher in Balivara Saraswati Vidyamandir, North 24 Parganas in connection with his participation in 1st SLST, 2016 (Upper Primary). Petitioner made a prayer *vide* letter dated 24th January, 2025 for extension of validity of recommendation dated 22nd November, 2024 before the Chairman of the Commission but till date no decision has been taken thereby extending validity of recommendation which prompted the petitioner to approach this Court with the present writ petition with prayer to permit the petitioner to join the post of Assistant Teacher as per recommendation dated 22nd November, 2024 by extending validity of recommendation in terms of proviso to 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

'said Rules of 2016'). Learned advocate representing West Bengal Central School Service Commission submits vacancy where petitioner was recommended still exists.

2. State respondents and west Bengal Central School Service Commission are represented by learned advocates.
3. Identical issue was considered by this Court in writ petition being **WPA 12048 of 2025 (Nahida Sultana Vs. The State of West Bengal & Ors.)**. Ratio of **Nahida Sultana** (supra) governs the issue involved in this writ petition. Judgment dated 11th July, 2025 delivered in **Nahida Sultana** (supra) shall be retained with the record of this writ petition duly countersigned by Assistant Registrar (Court).
4. Concerned authority of West Bengal Central School Service Commission is directed to extend validity of recommendation dated 22nd November, 2024 for a period of sixty (60) days from the date of communication of this order and permit the petitioner to join the post of Assistant Teacher in Balivara Saraswati Vidyamandir, North 24 Parganas. Necessary order is to be passed by the Chairman of the Commission by 7 (seven) days from date of communication of this order. School authority of Balivara Saraswati Vidyamandir, North 24 Parganas

shall permit the petitioner to join the post in terms of recommendation dated 22nd November, 2024 based on order to be issued by the Chairman of the Commission in terms of aforesaid direction. At the time of joining of the petitioner school authority shall verify the testimonials of the petitioner.

5. Writ petition stands disposed of.
6. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)