

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

06
rkd 05.08.2025
Ct.18
DO

W.P.A. 13803 of 2025

Animesh Biswas

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,
Ms. Pritha Biswas

....for the petitioner.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey

.....for the WBCSSC.

Md. Farhaduddin

....for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner on being selected in 1st State Level Selection Test, 2016 (1st SLST, 2016) for upper primary level of classes was recommended vide memo dated 21st November, 2024 by the Chairman of West Bengal Central School Service Commission (for short "Commission") to the post of Assistant Teacher in Hazrapur High School, Nadia. However, petitioner did not join the post as per recommendation dated 21st November, 2024.
3. It is submitted by the learned advocate representing the petitioner that at the material

point of time petitioner was working as Assistant Teacher for classes IX & X.

4. Subsequently, petitioner lost job in terms of the judgment of the Hon'ble Supreme Court dated 3rd April, 2025 passed on an appeal arising out of Special Leave Petition (Civil) No.9586 of 2024 [*State of West Bengal vs. Baishakhi Bhattacharyya (Chatterjee) and Ors.*].
5. After losing job petitioner approached the aforesaid school authority to permit him to join the post as per recommendation dated 21st November, 2024.
6. The school authority where petitioner was recommended wrote a letter to the Chairman of the Commission on 8th April, 2025 seeking permission to allow the petitioner to join the post. Petitioner prays for direction upon the respondent authorities which would permit him to join the post in terms of recommendation dated 21st November, 2024.
7. State respondents and Commission are represented by learned advocates.
8. It is submitted on behalf of the Commission that recommendation dated 21st November, 2024 has ceased in terms of Rule 17 of the West Bengal School Service Commission (Selection for Appointment to the Posts of Teachers for Upper Primary Level of Schools), Rules, 2016.

9. Therefore, without reviving the recommendation dated 21st November, 2024 there is no scope left open to permit the petitioner to join the post in terms of the said recommendation.
10. It appears that petitioner lost job in terms of the judgment of the Hon'ble Supreme Court dated 3rd April, 2025. At the material point of time when petitioner was recommended vide memo dated 21st November, 2024 he was working as Assistant Teacher in a secondary school for classes IX & X as such he did not join the post based on said recommendation.
11. In view of special facts and circumstances, Chairman of the Commission being respondent no.3 is directed to take decision whether recommendation dated 21st November, 2024 to be extended or not in terms of provision to Rule 17(3) of the aforesaid Rules of 2016.
12. The respondent no.3 shall take such decision by four weeks from the date of communication of this order.
13. The decision to be taken by respondent no.3 shall be communicated to the petitioner by ten days thereafter.
14. The writ petition stands disposed of.
15. However, there shall be no order as to costs.

16. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)