

10.07.2025
Court No. 18
Item No. 03
(Suvendu)

WPA 14661 of 2025

Susmita Rath
-Versus-

State of West Bengal & Ors.

Mr. Shamit Sanayal
Ms. Sanchayita De
.....for the petitioner

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
.....for the WBBSE

Mr. Kalyan Bandyopadhyay
Mr. Biswaroop Bhattacharya
Mr. Rahul Singh
...for the WBCSSC

Mr. Bhaskar Prasad Vaisya
Mr. Ranjan Saha
.....for the State

1) Affidavit-of-service filed on behalf of the petitioner is taken on record.

2) Petitioner participated in 1st State Level Selection Test, 2016 (for short, “1st SLST, 2016”) for Classes IX & X and XI & XII but petitioner was not declared as successful candidate. Placing reliance on the judgment dated 22nd April, 2024 passed by the Hon’ble Division Bench on a batch of writ petitions first one being WPA 30649 of 2016 as well as the judgment of the Hon’ble Supreme Court dated 3rd April, 2025 [State of West Bengal Vs. Baishakhi

Bhattacharyya (Chatterjee) and Ors.], it is submitted that even untainted unsuccessful candidates are entitled to get age relaxation. It is also submitted that no provision for age relaxation is provided in the recruitment notification dated 30th May, 2025 denying the right of the petitioner to offer candidature in the ensuing selection process for filling up post of Assistant Teacher.

3) Such prayer made on behalf of the petitioner is opposed by the learned advocates representing West Bengal Central School Service Commission and State respondents by placing reliance on the judgment of the Hon'ble Division Bench dated 22nd April, 2024 and the judgment of the Hon'ble Supreme Court dated 3rd April, 2025.

4) On conjoint reading of paragraph 363(xi) of the judgment of the Hon'ble Division Bench dated 22nd April, 2024 and paragraph 49 of the judgment of the Hon'ble Supreme Court dated 3rd April, 2025, it appears that no direction was given upon the recruiting authority to provide age relaxation for unsuccessful candidates who participated in 1st SLST, 2016. The benefit of age relaxation was only extended to untainted and differently-abled candidates who were

subsequently appointed in connection with the said selection process of 2016.

5) In view of aforesaid discussion, no relief can be granted to the petitioner.

6) Writ petition stands dismissed.

7) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)