

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. 15782 of 2025

18
rkd
19.08.2025
Ct.18
DO

Suman Sarkar

-vs-

The State of West Bengal & Ors.

Mr. Anindya Bose,
Mr. Golam Mohiuddin,
Mr. Mridul Biswas

....for the petitioner.

Mr. Saibal Kumar Acharyya,
Ms. Sanjukta Samanta

....for the State.

Mr. Sunit Kumar Roy

....for the WBCSSC.

Ms. Koyeli Bhattacharyya

....for the WBBSE.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner participated in both the selection processes i.e. 1st State Level Selection Test, 2016 for Classes IX & X as well as 1st State Level Selection Test, 2016 (Upper Primary).
3. In 1st State Level Selection Test, 2016 for Classes IX & X petitioner was selected and joined the post of Assistant Teacher in secondary school.
4. In connection with 1st State Level Selection Test, 2016 (Upper Primary) petitioner was selected and enlisted after taking part in personality test. Based on a document which is at page 18 of the writ

petition, it is submitted that petitioner was invited in counseling but he did not participate since at the material point of time petitioner was working as Assistant Teacher in secondary school.

5. Petitioner has lost job of Assistant Teacher of secondary school for Classes IX & X in terms of the judgment of the Hon'ble Supreme Court dated 3rd April, 2025 passed in civil appeal arising out of Special Leave Petition (Civil) No.9586 of 2024 [*State of West Bengal vs. Baishakhi Bhattacharyya (Chatterjee) and Ors.*]. Petitioner prays for direction upon the West Bengal Central School Service Commission (for short "Commission") which would enable the petitioner to participate in upcoming counseling in connection with 1st State Level Selection Test, 2016 (Upper Primary).
6. Reliance is placed on the judgment dated 12th August, 2025 delivered by this Court on a batch of writ petitions first one being WPA 12929 of 2025 (*Arpita Pramanik v. The State of West Bengal & Ors.*).
7. Respondents are represented by learned advocates.
8. The issue involved in this writ petition is covered by ratio of *Arpita Pramanik* (supra). Copy of the judgment dated 12th August, 2025 delivered in *Arpita Pramanik* (supra) is retained with the record.

9. Hence, concerned authority of the Commission is directed to permit the petitioner to participate in the counseling which is to be organized by the Commission if petitioner comes within the zone of consideration in terms of merit position in the select list and if petitioner is not tainted candidate.
10. At the time of counseling concerned authority of the Commission shall verify credentials of the petitioner.
11. The writ petition stands disposed of.
12. However, there shall be no order as to costs.
13. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)