

28.08.2025
Court No. 18
Item No. 31
(Suvendu)

WPA 17247 of 2025

Shrestha Sen
-Versus-

The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mondal
.....for the petitioner

Ms. Sima Adhikari
Mr. Tapas Kr. Dey
.....for the State

Dr. Sutanu Kr. Patra
Ms. Supriya Dubey
.....for the WBCSSC

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) Petitioner was recommended for being appointed as Assistant Teacher in Kanutia Jyotish Chandra High School, Birbhum on being selected in 1st State Level Selection Test, 2016 (Upper Primary). Recommendation was issued vide memo dated 20th November, 2024 by the Chairman, West Bengal Central School Service Commission (for short, "Commission") but the petitioner could not join within the validity of recommendation on medical ground. In support of indisposition of

the petitioner medical documents are appended to this writ petition. It is submitted that petitioner underwent a surgery. Subsequently petitioner made a prayer for extension of validity of recommendation to the Chairman of the Commission vide letter dated 7th April, 2025. It is also submitted that the post where petitioner was recommended vide memo dated 20th November, 2024 is still lying vacant. Petitioner prays for direction upon the concerned respondent authority which would permit her to join recommended post in consideration of her application dated 7th April, 2025 seeking extension of validity of recommendation.

- 3) Respondents are represented by learned advocates.
- 4) Dr. Patra, learned advocate representing the Commission placing reliance on Rule 17(3) and proviso thereunder of the West Bengal School Service Commission (Selection for Appointment to the posts of Teacher for Upper Primary Level of Schools) Rule, 2016 submits that on expiry of ninety days from the date of recommendation, i.e. 20th November, 2024, said recommendation has lost its force. According to the Commission, since petitioner did not join the post as per aforesaid recommendation today direction may

not be issued which would permit her to join the recommended post.

- 5) Having considered the submissions made on behalf of the parties and taking note of the provision as contained under proviso to Rule 17(3) of the said Rule of 2016, Chairman of the Commission being respondent no. 4 is directed to decide petitioner's application dated 7th April, 2025 seeking extension of validity of recommendation memo dated 20th November, 2024 in accordance with law within a period of four weeks from date of communication of this order. If respondent no. 4 finds it is expedient to extend validity of the recommendation dated 20th November, 2024, an appropriate order to be passed permitting the petitioner to join the recommended post. Decision to be taken by respondent no. 4 shall be communicated to the petitioner by ten days thereafter.
- 6) Till decision to be taken by respondent no. 4 post where petitioner was recommended in terms of memo dated 20th November, 2024 shall not be filled up, if till date such post is lying vacant.
- 7) Writ petition stands disposed of.
- 8) There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)