

01.09.2025
Court No. 18
Item No. 20
(Suvendu)

WPA 17504 of 2025

Suresh Chandra Shil
-Versus-

The State of West Bengal & Ors.

Mr. Saikat Sutradhar
.....for the Petitioner

Mr. Kunal Ganguly
.....for the Board

Mr. Biswabrata Basu Mallick
Mr. Nilay Baran Mandal
.....for the State

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

2. Petitioner participated in 12th Regional Level Selection Test (AT), 2011 but initially petitioner was not selected for being appointed as Assistant Teacher in secondary school since petitioner was possessing teachers' training qualification which West Bengal Central School Service Commission (for short, "Commission") found not requisite qualification in order to treat the petitioner as trained candidate.

3. However, issue was decided by a coordinate Bench vide order dated 24th April, 2024 passed on writ petition being WPA 20897 of 2013 (Animesh Singha Mahapatra & Ors. Vs.

State of West Bengal & Ors.) thereby negated the resolution of the Commission taken in 450th meeting and the communication of the Secretary of the Commission which disentitled the petitioner to be considered as trained candidate. In terms of the order dated 24th April, 2024 passed by the coordinate Bench appointment letter was issued on 15th July, 2025 by the concerned authority of West Bengal Board of Secondary Education and petitioner joined the post of Assistant Teacher on 17th July, 2025. Petitioner claims notional benefits due to delay occurred in giving appointment to the petitioner in the post of Assistant Teacher in secondary school in connection with 12th Regional Level Selection Test (AT), 2011. It is submitted that delay is not attributable to the petitioner, therefore, petitioner is entitled to receive notional benefits.

4. Respondents are represented by learned advocates.

5. Having considered the submissions made on behalf of the parties, Secretary, School Education Department being respondent no. 1 is directed to decide claim of the petitioner praying for grant of notional benefits within a period of 12 weeks from date of communication of this

order after granting opportunity of hearing to the petitioner or his representative. Respondent no. 1 shall pass a reasoned order and shall be communicated to the petitioner by ten days thereafter. If petitioner is found eligible to get notional benefits, concerned authorities shall take consequential steps for refixing pay of the petitioner accordingly.

6. Writ petition stands disposed of.

7. There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)