

WPA 19705 of 2025

**Sumana Bara
Vs.
The State of West Bengal & Ors.**

Mr. Ashis Kumar Choudhury
Mr. Rohan Paul
Mr. Avisek Chatterjee
Mr. Sudip Jana
...for the petitioner
Mr. Bhaskar Prasad Vaisya
Mr. Niloy Baran Mondal
...for the State
Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
...for the WBCSSC
Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
...for the WBBSE

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 classes IX and X and was selected to be appointed as assistant teacher. Based on recommendation issued by the West Bengal Central School Service Commission (for short 'Commission') petitioner joined the post of assistant teacher for classes IX and X in a secondary school.
3. Petitioner ultimately 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. Baisakhi
Bhattacharyya (Chatterjee) & Ors.).**

4. Petitioner simultaneously participated in 1st State Level Selection Test, 2016 (Upper Primary). Petitioner participated upto the stage of personality test and was empanelled for participating in counseling.
5. In support of such submission reliance is placed on page 59 of the writ petition in order to demonstrate that petitioner is an empanelled candidate in connection with 1st State Level Selection Test, 2016 (Upper Primary) for participation in counseling.
6. However, petitioner at the material point of time did not participate in the counseling since she was working as an assistant teacher for classes IX and X in a secondary school. After losing job in terms of the judgment of the Hon'ble Supreme Court dated 3rd April, 2025 petitioner has approached this Court with this writ petition thereby seeking direction which would permit her to participate in the counseling which will be conducted by the Commission in order to accommodate similarly circumstanced other candidates. Reliance is placed on the order dated 9th June, 2025

passed on a writ petition being **WPA 9980 of 2025 (Mukti Biswas Vs. The State of West Bengal & Ors.)**.

7. Having considered the issue involved in this writ petition this Court finds ratio of **Mukti Biswas** (supra) is applicable in the present case.
8. Copy of the order dated 9th June, 2025 passed in **Mukti Biswas** (supra) is retained with the record.
9. Concerned authority of the Commission is directed to permit the petitioner to participate in the next counseling, if held, in connection with 1st State Level Selection Test, 2016 (Upper Primary) in the event petitioner comes within the zone of consideration in terms of her merit position in the list and if petitioner is not tainted candidate.
10. Concerned authority of the Commission at the time of counseling shall verify the credentials of the petitioner.
11. Considering the issue involved in this writ petition, this Court finds no purpose would be sub-served in keeping this writ petition pending.
12. Writ petition stands disposed of.

13. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)