

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

05
rkd
22.09.2025
Ct.18
DM

W.P.A. 19851 of 2025

Anadinath Samanta

-vs-

The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri

....for the petitioner.

Mr. Sayan Datta,
Mr. Subir Pal

....for the State.

Mr. Sunit Kumar Roy

....for the WBCSSC.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner was recommend by the West Bengal Central School Service Commission vide memo dated 19th December, 2024 on being selected in 1st State Level Selection Test (AT), 2016 (Upper Primary).
3. Recommendation memo was issued on 19th December, 2024 by the Chairman, West Bengal Central School Service Commission thereby permitting the petitioner to join the post of Assistant Teacher in a Government aided secondary school for upper primary level of classes.
4. Petitioner chose not to join the post of Assistant Teacher within the stipulated time and subsequently made an application for extension of

validity of recommendation dated 19th December, 2024 vide email letter dated 31st March, 2025.

5. Learned advocate representing the petitioner relies on proviso to Rule 17(3) of the West Bengal School Service Commission (Selection for Appointment to the Posts of Teacher for Upper Primary Level of Schools) Rule, 2016 (hereinafter referred to as “said Rules, 2016”). According to the petitioner in terms of proviso to Rule 17(3) petitioner’s application seeking extension of validity of recommendation is required to be considered by the concerned authority of West Bengal Central School Service Commission and Commission should explore the possibility of permitting the petitioner to join the post of Assistant Teacher by extending the validity of said recommendation dated 19th December, 2024.
6. Reliance is placed on an order passed by this Court on 28th August, 2025 passed on a writ petition being *WPA 17247 of 2025 (Shrestha Sen –vs- The State of West Bengal & Ors.)*.
7. Learned advocate representing the West Bengal Central School Service Commission (for short “Commission”) has opposed the prayer of the petitioner on the strength of Rule 17(3) of the said Rules, 2016.

8. It is submitted that after expiry of ninety days life of the recommendation expires and if application for extension of validity of recommendation is preferred after expiry of ninety days, same may not be considered by the concerned authority of the Commission.
9. State respondents are also represented by learned advocates.
10. Petitioner has attempted to make out a case that father of the petitioner was ill as a result whereof petitioner could not join the recommended post in terms of memo dated 19th December, 2024.
11. However, on perusing the medical documents annexed to this writ petition, it does not appear that father of the petitioner was seriously ill for which petitioner was prevented from making an application for extension of validity of recommendation within the period of ninety days from the issuance of recommendation memo dated 19th December, 2024.
12. Ninety days expired on 18th March, 2025 whereas application seeking extension of validity of recommendation was submitted by email on 31st March, 2025 when recommendation memo dated 19th December, 2024 was not alive in terms of Rule 17(3) of the said Rules of 2016.

13. Order passed by this Court in *Shrestha Sen* (Supra) does not come in aid of the petitioner since in that case under special circumstances Court had to pass an order for consideration of application for extension of validity of recommendation since petitioner who was recommended for being appointed had undergone surgery.
14. In the present case, father of the petitioner was indisposed that was not so serious which prevented the petitioner to make an application for extension of validity of recommendation within the lifetime of recommendation i.e. ninety days, if period is reckoned from 19th December, 2024.
15. Extension of validity of recommendation for a period of sixty days is provided under proviso to Rule 17(3) which comes into play if recommendation is alive not otherwise.
16. In view of aforesaid situation, no relief can be granted to the petitioner at this stage.
17. The writ petition stands dismissed.
18. However, there shall be no order as to costs.
19. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)