

Form No. J(2)
Item No. DL / 8
adeb- A.R.(CT)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. NO 20542 OF 2025

Pinki Singha & Ors.

VS.

THE STATE OF WEST BENGAL & OTHERS

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioners	: Mr. Ashis Kumar Chowdhury Adv. Mr. Sudip Jana, Adv. Mr. Rohan Paul, Adv.
For the State	: Mr. Saikat Chatterjee, Adv. Mr. Sankar Halder, Adv.
For the WBCSSC	: Dr. Sutanu Kumar Patra, Adv. Ms. Supriya Dubey, Adv.
For the WBBSE	: Ms. Koyeli Bhattacharyya, Adv.
Heard On	: 25.09.2025
Judgment On	: 25.09.2025

SAUGATA BHATTACHARYYA, J.:

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

2. Document filed in support of depositing deficit Court fee is also taken on record.
3. Petitioners participated in the 1st State Level Selection Test, 2016 for classes IX-X and XI-XII as well as in 1st State Level Selection Test, 2016 for upper primary level of classes.
4. Learned Advocate representing the petitioners submits that they were selected in 1st SLST, 2016 for classes IX-X and XI-XII and on being recommended by the West Bengal Central School Service Commission (hereinafter referred to as '*Commission*') they joined the posts of Assistant Teacher in secondary/higher secondary section of Government aided schools.
5. It is also submitted on behalf of the petitioners that in 1st SLST, 2016 (Upper Primary) petitioners participated upto the stage of verification of testimonials and marks awarded to the petitioners were above the cut-off marks fixed in the category under which petitioners offered their candidature. It is also contended that petitioners were not allowed to participate in the personality test in connection with 1st SLST, 2016 (Upper Primary). However, petitioners did not pursue remedy in connection with 1st SLST, 2016 (Upper Primary) after they were not allowed to participate in the personality test since at the material point of time they were working as Assistant Teachers for classes IX-X and XI-XII in other schools.

6. It is also submitted by Mr. Chowdhury, learned advocate representing the petitioners that in service candidates were not permitted to participate in 1st State Level Selection Test, 2016 (Upper Primary) as per recruitment notification but subsequently it was found that in service candidates were allowed to participate in the said selection process which prompts the petitioners to approach this court for recasting the panel prepared on completion of 1st State Level Selection Test, 2016 (Upper Primary).
7. Petitioners lost their job 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) & Ors.)***. Petitioners now pray for direction upon the Commission to take steps as per the prayer couched in this writ petition. Prayer is made for recasting the panel in connection with 1st State Level Selection Test, 2016 (Upper Primary).
8. State respondents and West Bengal Central School Service Commission are represented by learned advocates.
9. Dr. Patra, learned advocate representing the Commission submits that personality test in connection with 1st SLST, 2016 (Upper Primary) was held in 2021-2022 in terms of the order of the Hon'ble Division Bench. It is also submitted that selection process of 1st SLST, 2016 (Upper Primary) is almost complete and 8th round of counselling was

conducted on 1st August, 2025. Panel prepared is expiring today, 25th September, 2025. It is also submitted on behalf of the Commission that the present writ petition is afterthought.

10. Having considered the respective submissions made on behalf of the parties this Court finds that it is true the petitioners have lost job in terms of the judgment of the Hon'ble Supreme Court dated 3rd April, 2025 passed in ***Baishakhi Bhattacharyya (Chatterjee) (supra)*** and at the material point of time when personality test was conducted in connection with 1st SLST, 2016 (Upper Primary), petitioners were working in schools for higher classes.
11. It is also submitted on behalf of the petitioners that they were allotted marks higher than the cut-off marks in the category under which they offered candidature and they had fair chance to be empanelled if they participated in the personality test.
12. However, fact remains petitioners did not participate in the personality test in connection with 1st SLST, 2016 (Upper Primary) which was held far back in 2021-2022. Today, 25th September, 2025 the panel in question is expiring.
13. Petitioners though participated in 1st State Level Selection Test, 2016 for classes IX-X and XI-XII as well as 1st State Level Selection Test, 2016 (Upper Primary) but they decided to be appointed as assistant teachers for secondary and higher secondary sections of Government aided secondary/higher secondary schools on being selected in 1st

State Level Selection Test, 2016 for classes IX-X and XI-XII. In spite of being selected in 1st State Level Selection Test, 2016 (Upper Primary) they decided not to participate in the personality test and after losing job in terms of the judgment of the Hon'ble Supreme Court dated 3rd April, 2025 they have approached this Court with this writ petition praying for recasting of the panel. Once candidate does not participate in the personality test his/ her right to be considered for appointment upon recasting the panel is withered away.

14. Hence, at this stage no relief can be granted to the petitioners.
15. Writ petition stands dismissed.
16. However, there shall be no order as to costs.
17. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)