

11-11-2025
Item No.134 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.23505 of 2025

Sk. Ashed Ali

-vs-

The State of West Bengal & Ors.

Mr. Anindya Sundar Das
Mr. Shaunak Ghosh
Ms. Suva Gayen
Ms. Paromita Mondal
Mr. Suman Halder ...for the petitioner

Mr. Saibal Acharyya
Mr. Sankar Halder ...for the State

1. The petitioner intends to participate in the recruitment process of Special Education Teachers in terms of the notification dated September 9, 2025 published by the West Bengal Central School Service Commission.
2. The maximum age limit for participation in the said recruitment process is 40 years. The Hon'ble Supreme Court in its order dated March 7, 2025 in the case of Rajneesh Pandey & Ors. -vs- Union of India & Ors. reported in (2021) 17 SCC 1 directed the authority to consider relaxation of age in respect of the persons working as special educators.
3. In the instant case, though the petitioner claims to have essential qualification required for participating in the subject recruitment process, but he did not work as special educator. He served as a clerk in the school.

4. Prayer has been made to permit him to participate in the recruitment process taking into consideration his educational qualification.
5. The order of the Hon'ble Supreme Court clearly mentions about the relaxation in respect of the persons working as special educators. As the petitioner did not work as special educator, accordingly, his service as clerk cannot be taken up for consideration for age relaxation in terms of the recruitment notification published by the Commission.
6. In view of the above, no relief can be granted to the writ petitioner. The writ petition fails and is hereby dismissed.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

