

17.03.2025
Court No.13
Item No.2
sudipta

MAT 1463 of 2015

IA No. CAN 1 of 2015 (old no. CAN 9430 of 2015)
IA No. CAN 2 of 2015 (old no. CAN 9737 of 2015)

Shri Satyajit Maji
Vs.
The State of West Bengal & Ors.

Mr. Gautam Banerjee.

...for the appellant

1. The instant appeal is directed against judgment and order dated 28th January, 2010, passed by a Single Bench of this Court.
2. The writ petition was filed by the petitioner challenging the constitutional validity of Rule 8 of the West Bengal School Teachers Recruitment Rules of 2001.
3. The Single Bench found that a Coordinate Bench of this Court in **Tanmoy Ramaya Lahiri & Ors. Vs. The State of West Bengal & Ors.** reported in **(2008) 3 CAL LT 205 (HC)** has upheld the validity of Rule 8 of the aforesaid Rules of 2001 and has set out relevant portions of the said Rules. It was found that the restriction on the Hooghly DPSC and every other DPSC in the State on recruiting persons not sponsored by the Employment

Exchange to be sound and for good reason. The appellant, therefore, could not have been issued a call letter or be permitted to sit in the written examination for such recruitment process.

4. In those circumstances MAT 1463 of 2015 fails and is hereby dismissed.
5. Consequently, all pending applications, if any, shall stand disposed of.
6. However if the appellant has been recruited and has been working continuously in the post thereafter, his service shall not be disturbed, subject to any other reason for his disqualification.
7. There shall be no order as to costs.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)