

M/L 207
06.03.2025
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 24100 of 2022

Santanu Adhikari
Vs.
The State of West Bengal & Ors.

Mr. Joyak Kumar Gupta
Mr. N.D. Bandyopadhyay

...for the Petitioner.

Mr. Saikat Banerjee, Sr. Adv.
Mr. Ratul Biswas
Mr. Kaushik Chowdhury

...for the WBBPE.

Mr. Gupta, learned advocate for the petitioner files the exception to the report of the West Bengal Board of Primary Education; let it be kept with the record.

The petitioner had participated in the recruitment process initiated by the Board in the year 2016 for appointment of Assistant teachers in the primary schools of the State as an untrained candidate in the general category, his preferred district was Paschim Medinipore.

The petitioner is alleging that though he was called for the interview, aptitude test and was also asked to participate in the verification process but was not given appointment.

The Board in its report affirmed on December 06, 2024 has disclosed that since there was no vacancy in the opted district of the petitioner for the untrained general category candidates, the petitioner was not recommended for appointment.

Mr. Gupta submits that the petitioner took admission in the D.El.Ed. training course in the year 2014 but the said course was not completed within due time, ultimately, on the direction of the Court, the result of the said course was published in the year 2017, as such the Board should have treated the petitioner as a trained candidate.

Mr. Banerjee, learned senior advocate for the Board submits that the petitioner was not a trained candidate at the relevant point of time, subsequent acquisition of training qualification cannot alter the position, besides, the 2016 selection process is over long back and the life of the panel prepared in respect of the said selection test has also expired.

Heard learned advocates for the parties, perused the materials-on-record.

In the 2016 selection process, the applications though were invited from both trained and untrained candidates, preference was given to the trained candidates. In the preferred district of the petitioner, all vacancies since were filled up by the trained candidates, the petitioner's candidature could not be considered. The petitioner, by acquiring training qualification subsequently did not become eligible to be considered as a trained candidate, moreover the panel prepared in respect of the said selection test has long expired, as such, the prayer of the petitioner for appointment cannot be considered at this stage.

WPA 24100 of 2022 is therefore dismissed without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)