

Dated : 06.11.2025
Sl. No. : 04.
Ct. No. : 18.
Officer : AGM.

**In The High Court At Calcutta
Constitution Writ Jurisdiction
Appellate Side**

WPA 24192 of 2025

Pintu Mallik & Ors.
Vs
The State of West Bengal & Ors.

Mr. Dibyendu Chatterjee.
Mr. Rahul Deb Goenka.
Ms. Satabdi Das.
.....for the petitioners.

Mr. Santanu Mitra.
Ms. Dipa Bhattacharya.
... For the State.

Mr. Biswaroop Bhattacharya.
Mr. Arka Kumar Nag.
Mr. Rahul Kumar Singh.
Mr. P. Bandopadhyay.
... For the WBCSSC.

1. The petitioners claim to be in service teachers of Government aided schools outside the State of West Bengal. They participated in the Recruitment Examination pursuant to the Recruitment Notice dated 30th May, 2025 published by the School Education Department of this State.
2. The advertisement prescribes ten marks to candidates having prior teaching experience in aided/ sponsored schools under the West Bengal Government.
3. The application form requires the applicant to mention whether the applicant is working as

teacher in aided/sponsored school under Government of West Bengal.

4. As the petitioners are not employed under the State of West Bengal, accordingly, they could not mention the details of their prior teaching experience.
5. The petitioners have annexed documents in support of the submission that they have prior teaching experience.
6. In **WPA 22321 of 2025 (Shirsha Ghosh –Versus- State of West Bengal & Ors.)** a coordinate bench of this Court passed order on 23rd September, 2025 to consider the past experience of the candidate who was teaching in a school under the Central Government if she is otherwise found eligible.
7. Prayer has been made to direct the Commission to take into consideration their teaching experience in the schools under the Central Government at the time of allotment of marks prescribed for prior teaching experience.
8. Learned counsel representing the Commission opposes the prayer of the petitioners.
9. It has been submitted that no demand of justice was filed by the petitioners prior to approaching the Court.
10. The petitioners are the fence sitters and only after order was passed by the Court in the matter **Shirsha Ghosh** (supra), the instant writ petition has been filed.
11. No explanation has been forwarded for approaching this Court after such a long period of time and especially after the written examination is over and the result is expected shortly.

12. The petitioners filled up the application form being aware of the terms and conditions of the advertisement. After participating in the written test the petitioners cannot be permitted to raise this issue.
13. The Court notes that, admittedly, the petitioners never approached the authority highlighting their grievances. But as the petitioners have annexed documents in support of their past teaching experience in a different State and in view of the ratio laid down by the Court in the matter of **Shirsha Ghosh** (supra), accordingly, the Court directs the Commission to take into consideration pages 36, 39, 40, 44, 60, 62, 63 and 65 annexed to the writ petition in support of their service.
14. If the Commission accepts such past service of the candidates, then necessary steps pursuant to the recruitment notification dated 30th May, 2025 shall be taken.
15. The Commission shall take a decision in the matter at the earliest.
16. The writ petition stands disposed of.
17. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)