

04.11.2025
Court No.11
Item No.03
Avijit Mitra

**MAT 1838 of 2025
with
IA No.CAN 1 of 2025**

**West Bengal Central School Service Commission &
anr.**

**- versus -
Soumyadev Ghosh & ors.**

Mr. Kalyan Bandopadhyay, Sr. Adv.,
Mrs. Pramiti Badopadhyay,
Mr. Arka Kumar Nag,
Mr. Rahul Kumar Singh
...for the W.B.C.S.S.C.(appellants)
Mr. Samim-ul-Bari,
Mr. Atarul Hoque Molla,
Mr. Husen Mustafi
...for the respondent nos.1 to 8/writ petitioners
Mr. Swapan Kumar Dutta, Ld. G.P.,
Mr. Tirthankar Dey
.....for the State

Affidavit-of-service, as filed, be kept on record.

The present appeal has been preferred by the West Bengal Central School Service Commission (hereinafter referred to as the said Commission) and its functionary challenging an order dated 14th October, 2025 passed by the learned single Judge in the writ petition being WPA 24021 of 2025. By the said order, learned single Judge granted liberty to the writ petitioners to file an application before the respondent no.2 to the writ petition within seven days from date. It was further directed that

the said respondent shall then consider the same, in accordance with law.

Mr. Bandopadhyay, learned senior advocate appearing for the appellants submits that there is no document on record to show that the writ petitioners had worked in a substantive post at the secondary level in a government or government aided or government sponsored school, as required in terms of clause A(2)(b) in Schedule –II of the West Bengal School Service Commission (Selection for Appointment to the Post of Assistant Teacher for Upper Primary Level of Classes[except Work Education and Physical Education], Classes IX-X and Classes XI –XII) Rules, 2025 (hereinafter referred to as the said Rules).

Mr. Bari, learned advocate appearing for the writ petitioner/respondent nos.1 to 8 submits that pursuant to the direction of the learned single Judge a comprehensive representation has already been submitted before the Secretary, West Bengal Central School Service Commission on 16th October, 2025 and the same will be produced at the time of hearing before the said office.

Upon hearing the learned advocates appearing for the respective parties and considering the materials on record, we are of the opinion that no interference is called for in the present appeal.

However, it is directed that at the time of hearing before the Secretary of the said Commission, the writ petitioners shall produce the representation submitted and all necessary documents in support of his contention that he had rendered service in a substantive post at the secondary level in a government or government aided or government sponsored school, as required in terms of clause A(2)(b) in Schedule -II of the said Rules.

The Secretary of the said Commission upon hearing the petitioners shall pass a reasoned order by 25th November, 2025.

Mr. Bandopadhyay submits, upon instruction, that the Secretary of the said Commission shall grant opportunity of hearing to the writ petitioners on 6th November, 2025 at 11.00 a.m.

In view thereof, no further notice is required to be served upon the writ petitioners and they shall be present before the concerned officer, on the date and time specified, with all necessary documents.

Accordingly, the appeal and the connected application are disposed of.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned advocates for the parties.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)