

04.11.2025
Court No.11
Item No.09
Avijit Mitra

**MAT 1853 of 2025
with
IA No.CAN 1 of 2025**

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

**- versus -
Aditya Bera & 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. Tapas Kumar Sinha,
Mr. Arunava Pati,
Mr. Amitabha Bhattacharyya
...for the respondent no.1/writ petitioner
Mr. Swapan Kumar Dutta, A.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 functionaries challenging an order dated
14th October, 2025 passed by the learned single
Judge in the writ petition being WPA 23973 of
2025. By the said order, learned single Judge
directed the Secretary, West Bengal Central School
Service Commission to consider the representation
dated 28th September, 2025 submitted by the writ

petitioner, upon hearing the parties and to pass a reasoned order, in accordance with law within 30 days from the date of communication of the order.

Drawing our attention to the representation dated 28th September, 2025, Mr. Bandopadhyay, learned senior advocate appearing for the appellants submits that along with the said representation no relevant document had been annexed by the writ petitioner in support the contention that he 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. Sinha, learned advocate appearing for the writ petitioner/respondent no.1 submits that the documents annexed at pages 45 to 51 of the stay application would reveal that the writ petitioner had rendered service in a substantive post at Jawahar Navodaya Vidyalaya under the Ministry of Human Resource Development, Department of Education, Government of India.

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 petitioner shall produce 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 time provided towards issuance of a reasoned order by Secretary of the said Commission is extended till 25th November, 2025.

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

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

With the above observations, 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.)