

Form No. J.(2)
Item No. DL/2
adeb - AR (CT)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. NO. 26476 OF 2025

ARINDAM KUMAR DAS

Vs.

THE STATE OF WEST BENGAL & ORS.

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioner	: Mr. Victor Chatterjee, Adv. Mr. Pramitava Nath, Adv.
For the State	: Mr. Bhaskar Prasad Vaisya, Adv. Mr. Ranjan Saha, Adv.
For the WBCSSC	: Mr. Biswaroop Bhattacharya, Adv. Mrs. Praniti Bandopadhyay, Adv. Mr. Arka Kumar Nag, Adv. Mr. Rahul Kumar Singh, Adv.
Hearing concluded on	: 19.12.2025
Judgment On	: 19.12.2025

SAUGATA BHATTACHARYYA, J.:

1. Matter is heard in presence of the learned advocates representing the petitioner, State respondents and West Bengal Central School Service Commission (for short, "Commission").

2. Petitioner, *inter alia*, has prayed for change of Medium from English to Bengali in 2nd State Level Selection Test, 2025 for being appointed as Assistant Teacher in Physical Science in classes IX and X.
3. It is submitted on behalf of the petitioner that he applied OnLine offering his candidature for being appointed as Assistant Teacher in Physical Science for classes IX and X in the aforesaid selection process opting English as medium of instruction. Petitioner participated in the written examination and is awarded 70 marks.
4. Prayer is made for change of medium of instruction from English to Bengali as petitioner inadvertently while submitting OnLine application opted English as medium of instruction. It is further contended if such conversion from English to Bengali as medium of instruction is permitted petitioner at the time of personality test would be considered for appointment against a post of Assistant Teacher in a school where medium of instruction is Bengali not English.
5. Mr. Biswaroop Bhattacharya, learned counsel representing Commission has opposed this prayer at this stage when result of written examination has already been published and list is prepared containing names of candidates for their participation in ensuing personality test. However, it appears from the submissions made on behalf of Commission that date of commencement of personality test is yet to be scheduled. In support of such contention reliance is placed on the

judgment of the Hon'ble Supreme Court reported in **2025 SCC OnLine SC 1125 (Mohit Kumar Vs. State of Uttar Pradesh & Ors.)**.

6. State respondents are also represented by learned advocate.
7. It is submitted on behalf of parties that petitioner on being treated as a candidate aspiring to be appointed as Assistant Teacher in Physical Science under Scheduled Caste category opting English as medium of instruction is awarded 70 marks whereas under the said category cut-off marks is fixed 59. It is also apprised on behalf of Commission that under the category i.e. Assistant Teacher in Physical Science (Scheduled Caste), Bengali Medium cut-off marks is fixed 51. Therefore, it appears if petitioner is permitted to change medium of instruction from English to Bengali and taking note of the marks awarded to the petitioner i.e. 70 petitioner would be adjudged as an eligible candidate to participate in the ensuing personality test.
8. In **Mohit Kumar** (supra) candidate applied for being considered for the post of Sub-Inspector, Civil Police and Platoon Commander without submitting OBC certificate. After publication of result cut-off marks was fixed for general category candidate was 316.11 whereas for OBC category candidate it was 305.542. The candidate being the appellant therein approached the authority for being considered as OBC candidate in order to get the benefit of lower cut-off marks by treating him as OBC candidate on submission of OBC certificate.

9. In the aforesaid fact situation Hon'ble Supreme Court did not direct the authority to treat the petitioner as OBC candidate. But in the present case at my hand, if switching over from English Medium to Bengali Medium is allowed in that event petitioner comes within the zone of consideration and no relaxation is required to be extended to the petitioner in terms of cut-off marks as petitioner obtained 70 whereas cut-off marks for Physical Science (SC) English Medium is 59 and Physical Science (SC) Bengali Medium is 51.
10. It needs to be also recorded herein that date of commencement of personality test for classes IX and X is yet to be scheduled.
11. In aforesaid conspectus concerned authority of West Bengal Central School Service Commission is directed to treat the petitioner as Bengali Medium candidate and if petitioner comes within the zone of consideration considering the marks awarded to him he shall be permitted to participate in the ensuing personality test.
12. Writ petition stands disposed of.
13. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)