

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble Justice Debangsu Basak

And

The Hon'ble Justice Md. Shabbar Rashidi

M.A.T. 2115 of 2025

The West Bengal Central School Service Commission & Ors.

vs.

Somnath Pramanik & Ors.

With

CAN 1 of 2025

For the WBCSSC

: Mr. Kalyan Bandopadhyay, Sr. Adv.,
Mr. Biswaroop Bhattacharya
Ms. Pramiti Bandopadhyay
Mr. Arka Kumar Nag
Mr. Rahul Kumar Singh

**For the Respondent/
Writ petitioner**

: Mr. Pratik Dhar, Sr. Adv.,
Mr. Samir Halder
Mr. Snehal Sinha

For the State

: Mr. Sirsanya Bandopadhyay, Sr. S.C.
Mr. Sandip Das Gupta
Ms. Mahima Cholera
Mr. Nikhil Ojha

Heard & Judgment on

: December 16, 2025

Debangsu Basak, J.:-

1. Appeal is at the behest of the West Bengal Central School Service Commission and its functionaries.

2. Appeal is directed against the impugned judgment and impugned order dated November 27, 2025 passed in W.P.A. 26937 of 2025.
3. Learned senior advocate appearing for the appellants submits that learned Single Judge erred in not directing the individual candidates to avail of the categorization as directed by the appellant no. 1. Refusal to do so will not permit the appellants to place individual candidates in the correct categories.
4. Learned senior advocate appearing for the appellants draws the attention of the Court to the advertisement dated May 30, 2025 in relation to the second SLST, 2025. He submits that the last date of submission of the application was till July 21, 2025. Prior to the expiry of the time for submission of application, authorities issued the first addendum dated June 24, 2025 prescribing a requirement of resubmission of category details by the applicants. Thereafter, the second addendum was issued on July 30, 2025 requiring the candidates to categorize their candidatures. He draws the attention of the Court to the third and fourth addendums in this regard also. He contends that none of the writ petitioners in the present matter categorized their candidatures although they participated in the selection process as SC/ST/PH category.

5. Learned senior advocate appearing for the appellants draws the attention of the Court to the application filed by the individual candidates. He draws the attention of the Court to the column of application fee in the application form. He submits that the application fee was classified as SC/ST/PH with an application fee of Rs.200/-. Therefore, going by the contents of such an application, it cannot be said with certainty that the individual candidate fell into which category of the three categories prescribed therein.
6. Learned senior advocate appearing for the appellants submits that one of the individual candidates issued a letter asking for permission to submit the categorization subsequent to the closure of the date prescribed by the fourth addendum.
7. Learned senior advocate appearing for the appellants submits that no opportunity to file an affidavit controverting the material allegations made in the writ petition to the appellants was granted by the learned Single Judge. Therefore, on such score, the impugned judgment and order cannot be sustained.
8. Learned senior advocate appearing for the writ petitioners submits that the application filed by his clients was in accordance with the format of the application which the authorities prescribed. He submits that there

was no requirement for the four addenda to be issued. He draws the attention of the Court to the contents of the four addenda. He submits that one of the addenda refers to an order of the Supreme Court dated July 28, 2025. He submits that the order of the Hon'ble Supreme Court dated July 28, 2025 relates OBC classifications and categorization. Therefore, it can at best govern the OBC candidates. The writ petitioners do not fall within such category. They cannot be penalized with the rejection of their candidatures. They cannot be classified as General category candidates also.

9. Learned senior advocate appearing for the writ petitioner submits that the fourth addendum which provides a penal clause, i.e. upon the failure of categorization within the time period specified then the failed candidates will be treated as a General category candidate, is illegal. He submits that the application was filed by his clients as SC/ST/PH upon payment of Rs.200/- as fees while a General category candidate was required to pay fees of Rs.500/-.
10. Learned senior advocate appearing for the writ petitioner refers to Rule 2 (I)(r) of the West Bengal School Service Commission (Selection for Appointment to the Posts of Assistant Teachers for Upper Primary Level of Classes [except Work Education and Physical Education],

Classes IX-X and Classes XI-XII) Rules, 2025. He contends that Rule 2 (I) (r) enumerates reserved category to mean Scheduled Castes, Scheduled Tribes, Other Backward Classes and Physically Handicapped candidates and other categories of the reservation, if any. He contends that the last date of receiving online application would be the last date for categorization. Any addendum issued subsequently would be in the derogation of Rule 2 (I) (r) which in the facts and circumstances of the present case all the four addenda are.

11. In course of hearing of the appeal, we suggested that appellants should open the portal till 6-00 p.m. tomorrow, i.e. December 17, 2025 to allow every writ petitioner who filed writ petition upto 2.30 p.m. today, i.e. December 16, 2025 to update their categories.
12. Learned senior advocate appearing for the appellants submits that the appellants are agreeable to do so.
13. Learned senior advocate appearing for the writ petitioner, on instructions, submits that his clients will abide by such directions.
14. In the list today, we find there are several other matters involving the same issues. We are informed in course of hearing of the matter that there are other writ petitions also which involve the same issues.

15. Request at the Bar is that we should allow all writ petitioners who filed writ petitions till 2.30 p.m. today to avail of the same facility as being granted to the writ petitioners in the present appeal.
16. Request of such writ petitioners who filed their writ petitions till 2.30 p.m. today being reasonable is accepted.
17. We are concerned in this appeal with regard to candidatures of candidates participating in the selection process for Classes XI and XII only.
18. In such circumstances, in our view, ends of justice would be subserved by requiring the appellants to open the portal for updating the categorization for the candidates who filed writ petitions in this regard upto 2.30 p.m. today, i.e. December 16, 2025. Such portal will remain open till 6.00 p.m. on December 17, 2025.
19. The authorities will open the portal at 6-00 p.m. today and keep the same open till 6-00 p.m. on December 17, 2025.
20. We clarify that this measure is limited to persons who approached this Court on this issue till 2-30 p.m. today by way of filing of writ petition or appeal or otherwise. Authorities are at liberty to deal with such of the candidates who are not governed by this order, in accordance with law.

21. These directions are limited to selection process of Classes XI and XII undertaken in the Second SLST, 2025

22. **M.A.T. 2115 of 2025** and the connected application being **CAN 1 of 2025** are disposed of accordingly.

(Debangsu Basak, J.)

23. I agree

(Md. Shabbar Rashidi, J.)

S.D.