

Form No. J(2)

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

**CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

Present:

THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

W.P.A. 697 of 2025

Bulti Barman

-vs-

The Stat of West Bengal & Anr.

For the Petitioner	: Mr. Jagriti Mishra Ms. Ananya Bhattacharya Ms. Mrinmayee Das
For the State	: Mr. Bedashruti Bose : Mr. Pradip Sarkar
For the Commission	: Mr. Sunit Kumar Roy Ms. Supriya Dubey

Heard on : 31.07.2025

Judgment on : 31.07.2025

SAUGATA BHATTACHARYYA, J.:

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

2) Learned advocates representing the Commission have entered appearance on virtual mode.

3) It is submitted on behalf of the petitioner that petitioner was selected for the post of Clerk in a Government aided school by the concerned respondent authorities since petitioner was successful in the recruitment process. Petitioner was appointed as Clerk of a Government aided school. However, petitioner has lost job in terms of judgment of the Hon'ble Supreme Court dated 3rd April, 2025 delivered in State of West Bengal -vs- Baishakhi Bhattacharyya (Chatterjee) And Others with other matters. Petitioner also participated in 1st State Level Selection Test, 2016 (Upper Primary) for being appointed as Assistant Teacher. However, it is submitted by Mr. Mishra, learned advocate representing the petitioner that in the 3rd round of counseling though petitioner was invited but she could not participate. It is also submitted that when 3rd round of counseling held petitioner was holding the post of Clerk in a Government aided secondary school. Now situation is altered since petitioner has lost job in terms of judgment of the Hon'ble Supreme Court dated 3rd April, 2025. Petitioner is willing to participate in the 8th round of counseling in connection with 1st SLST, 2016 (Upper Primary) which is scheduled to be held tomorrow, 1st August, 2025. In support of such contention, petitioner has relied upon an order

dated 9th June, 2025 passed in WPA 9980 of 2025 (Mukti Biswas Vs. State of West Bengal & Ors.).

4) It is submitted by learned advocate representing the Commission that in other matters a coordinate Bench had already directed to organize subsequent counseling for the petitioners in those writ petitions if arrangement cannot be made for their participation in 8th round of counseling scheduled to be held on 1st August, 2025. It is also submitted that petitioner has to be an untainted candidate in connection with the selection process which was conducted earlier wherein petitioner was selected for the post of Clerk and petitioner has to come within the zone of consideration in terms of merit. It is also submitted that petitioner's participation in counseling is subject to available vacancy.

5) Having considered the respective submissions made on behalf of the parties and placing reliance on the order passed by this Court in Mukti Biswas (supra) this Court directs the concerned authority of the Commission if petitioner is not permitted to participate in 8th round of counseling which is scheduled to be held on 1st August, 2025 petitioner shall be permitted to participate in the subsequent counseling if she comes within the zone of consideration in terms of merit and is found to be an untainted candidate and subject to available vacancies.

- 6) It is submitted on behalf of the Commission that subsequent counseling is to be held after 8th round of counseling which is scheduled on 1st August, 2025.
- 7) At the time of counseling petitioner has to satisfy that she is untainted candidate by submitting necessary documents.
- 8) With the aforesaid directions writ petition stands disposed of.
- 9) Leave is granted to the petitioner to communicate this order immediately to the concerned authority of the Commission without waiting for the server copy of this order.
- 10) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)