

03.02.2026.

**35
Ct.No.24.
as**

WPA 1018 of 2026

**Tanmoy Nag
Vs.
The State of West Bengal & Ors.**

Mr. Firdous Samim,
Ms. Gopa Biswas,
Mr. Mainak Ghoshal,
Mr. Ayush Majumder,
Ms. Salini Bhattacharyya.
...for the Petitioner.

Mr. Swapan Kr. Datta, Ld. G.P.,
Mr. Biplab Guha,
Mr. Abhishek Chakraborty.
...for the State.

Mr. T. P. Halder.
...for the Respondent Nos.8 & 9.

Mr. Subhrangsu Panda,
Mrs. Ina Bhattacharyya,
Mrs. Mithu Singha Mahapatra.
..for the West Bengal College
Service Commission.

1. The petitioner is a person with disability, suffering from 100% blindness in both eyes. The petitioner had participated in the examination process of the National Eligibility Test (NET) July, 2018 and qualified thereof for the post of Assistant Professor. The petitioner was also duly recommended in the panel and his name was published as a successful candidate in the PWD Category-I in connection with Advertisement No.1 of 2018 on January 25, 2020.
2. Pursuant to the recommendation, the petitioner had submitted a letter sometime in February, 2020 evincing his

intent/willingness to join the post of Assistant Professor in Bengali in the respondent No.8.

3. In spite of showing willingness, the petitioner was unable to join, due to his father's medical emergency and as well as his own illness.

4. The petitioner immediately after tiding over such shortcomings, made a representation on March 7, 2020. However, there was no reply from the authorities to such representation.

5. Circumstances were such that the pandemic set forth immediately thereafter and the petitioner was left in the lurch.

6. The petitioner has presently approached this Court seeking, inter alia, appointment to the post of Assistant Professor in Bengali in the respondent No.8.

7. Since the petitioner is a meritorious candidate and had obtained recommendation from the concerned authorities and though initially was unable to join, expressed his willingness thereafter, the petitioner's appointment ought to be made to the post of Assistant Professor.

8. Mr. Panda appearing for the Commission, in his usual fairness has submitted that the Commission had issued a letter on March 2, 2021 expressing that the Commission has no objection, if the college authorities acquiesce to the appointment of the petitioner to such post.

9. Mr. Halder appearing for the College authorities has submitted that the post is still lying vacant.

10. In view of the aforestated and particularly keeping in mind the fact that these were extraordinary circumstances in an exceptional situation, the College authority is directed to issue an appointment letter in favour of the petitioner in terms of the recommendation of the Commission dated February 6, 2020. Let such letter of appointment be issued by February 20, 2026.

11. It is made clear that since this order is passed in this rather exceptional circumstances for a person with disability, this will not be treated as a precedent nor create any equity in favour of the petitioner to claim notional or financial benefits from any date prior to his date of joining the post.

12. With the aforestated direction, the writ petition is disposed of.

13. Since affidavits have not been called for, allegations contained in the petition are deemed to have been denied.

14. There shall be no order as to costs.

15. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)