

23.03.2026
Sl. No.43
Ct. No.14
gd

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

**WPA 3453 of 2025
Bhushan Kumar Das
vs.
State of West Bengal & ors.**

Mr. Sudipta Dasgupta
Mr. Saikat Sutradhar
... for the petitioner

Mr. Tapas Kr. Mondal
... for the State

Mr. Ratul Biswas
Mr. Kaushik Chowdhury
... for the WBBPE

1. By the present writ petition the petitioner seek direction upon the respondent authorities to consider the candidature of the petitioner in respect of Primary Teacher Recruitment Process of the year 2022.
2. The petitioner contends that he participated in Recruitment Process of the year 2020 pursuant to Notification dated 23rd December, 2020. The petitioner's name was recommended for appointment by the West Bengal Board of Primary Education for the Post of Assistant Teacher in Jakhirpur Santal F.P. School, P.O.-Kumarganj under Kumarganj North Circle, District-Dakshin Dinajpur vide Memo No.465(21) dated 17th February, 2021. However, the respondent authorities subsequently withdrew and cancelled the letter of appointment of your petitioner stating that at the time of application he had not

completed the training. The petitioner has completed the requisite training in the year 2021. Thereafter, the petitioner participated in the Primary Teacher Recruitment Process of the year 2022 and secured total marks of 24.133 excluding *viva voce*. The petitioner was called for interview. However, the petitioner was not empanelled in view of the order passed by a Coordinate Bench of this court in WPA 24562 of 2022 (*Manidipa Purkait & Ors. versus The State of West Bengal & Ors.*) directing the Board to preclude the in-service candidates from appearing in the interview of 2022 Recruitment Process. The petitioner has been wrongly considered as an in-service candidate. Being aggrieved by such action of the respondent authorities, particularly respondent-Board, the petitioner has preferred the present writ petition.

3. Mr. Sudipta Dasgupta, learned advocate for the petitioner submits that although letter of recommendation was issued for appointment of the petitioner as Assistant Teacher in a Primary School by the Board in respect of Primary Teacher Recruitment Process of the year 2020, however, that was subsequently withdrawn since the petitioner at that point of time was not possessing the requisite training qualification. After completing training course i.e. Diploma in Elementary Education, for the session 2019-21, the petitioner again participated in Recruitment Process of 2022. The petitioner was called for interview. However, the petitioner was not

empanelled on the ground he was an in-service candidate. Although the in-service candidates were precluded from appearing in recruitment process of 2022, but since the earlier letter of recommendation of the petitioner was withdrawn, he cannot be considered as an in-service candidate. He seeks for appropriate direction upon the respondent Board to consider the candidature of the petitioner in respect of Primary Teacher Recruitment Process of the year 2022.

4. Mr. Ratul Biswas, learned advocate appearing for the West Bengal Board of Primary Education submits that the process of recruitment of the year 2022 has already been concluded. As such, the prayer of the petitioner cannot be considered at this stage.
5. Mr. Dasgupta, in reply, submits that due to fault on the part of the respondent authorities the candidature of the petitioner was not considered in the recruitment process of 2022 wrongly holding him to be a in-service candidate.
6. It is not in dispute that in respect of Recruitment Process of the year 2020 letter of recommendation was issued in favour of the petitioner for appointment as Assistant Teacher in a Primary School under District Primary School Council, Dakshin Dinajpur. Such letter of appointment was subsequently withdrawn. As such, the petitioner cannot be considered as in-service candidate to be precluded to appear in interview in terms of order passed by this court in *Manidipa Purakait (supra)*.

7. Accordingly, respondent no.2, West Bengal Board of Primary Education and its Secretary, respondent No.4 is directed to consider the candidature of the petitioner in respect of Primary Teacher Recruitment Process of the year 2022 in accordance with law, upon notice to the petitioner within a period of eight weeks from the date of communication of this order.
8. It is made clear that this order is restricted to the petitioner only and shall not be treated as a precedent.
9. Learned advocate for the petitioner is directed to communicate this order to the respondent no.2, West Bengal Board of Primary Education and its Secretary, respondent No.4 for necessary action.
10. With the above direction, the writ petition being **WPA 3453 of 2025** stands disposed of.
11. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
12. Interim order, if any, stands vacated.
13. All connected applications, if any, stand disposed of.
14. There shall be no order as to costs.
15. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
16. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)