5th Oct., 2026

Item no.M/L 16
Court No. 24

Pradip, A.R.(Ct.)

In the High Court at Calcutta

Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 26473 of 2026**

In the matter of:

Nasima Parvin

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner:

Mr. Samim Ahammed
Mr. Arka Maiti
Ms. Ambiya Khatun
Ms. Reshma Khatun

....Advocates

For the State:

Ms. Koyeli Bhattacharyya
Mr. Suva Gayen

....Advocates

For the SSC:

Mr. Ranajit Chattopadhyay
Mr. Sunit Kumar Roy

....Advocates

1. Affidavit of service filed in Court today is taken on record.

2. The petitioner participated in 1st SLST-2016 (Upper Primary) under the OBC 'A' category and on being successful she has been recommended to a school by the Commission on 29th July, 2026. The appointment letter is yet to be issued in her favour.

3. The petitioner is aggrieved by the communication made by the headmistress of the recommended school addressed to the Secretary of the Commission in August, 2026 seeking instruction regarding OBC 'A' certificate issued in her favour. The instruction was sought for by the school as to whether the petitioner shall be permitted to join the school or not in the post earmarked for the reserved category candidate.

4. It has been submitted that the order passed by the Hon'ble Division Bench on 12th August, 2026 in MAT 1320 of 2026 in the matter of Shreyasi Dhang Vs. The State of West Bengal & Ors. will not be applicable in the facts and circumstances of the instant case.
5. Prayer has been made to direct the authority to issue appointment letter in her favour in the category under which she participated in the recruitment process.
6. Learned advocate representing the respondent/Commission submits, upon instruction that, in view of the order passed by the Hon'ble Division Bench, the roster category of the vacancy shall be treated as the roster category of the candidate whose other details match with the details of the vacancy.
7. It has also been submitted that a note has been mentioned in the recommendation letter indicating that the roster category of the vacancy shall be treated as the roster category of the candidate. The same is a one time exercise to comply with the direction passed by the Hon'ble Division Bench in CPAN 589 of 2025 arising out of MAT 638 of 2021 and other related matters.
8. Upon hearing the submissions made on behalf of both the parties and on perusal of the documents placed on record, it appears that the OBC 'A' certificate issued in favour of the petitioner has been declared to be void *ab initio* by the Hon'ble Division Bench.
9. The Commission has already recommended the petitioner for appointment in a school. The school shall take steps for issuing the appointment letter to the petitioner by treating the roster category of the vacancy as the roster category of the candidate as her other details matches with the subject vacancy.

10. Steps shall be taken in the matter by the authority at the earliest but positively within a period of four weeks from the date of communication of this order.
11. The writ petition stands disposed of.
12. Parties to act on the basis of the server copy of this order duly downloaded from the official website of this Court.
13. Certified server copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)