

14.01.2026
Item No.06
Court No.11
KCP

MAT 1965 of 2025
with
IA No. CAN 1 of 2025
with
IA No. CAN 2 of 2025

Bipasha Raut
- Versus -
The State of West Bengal & Ors.

Mr. Bidyut Kr. Halder
Mr. Indranil Halder
Ms. Neha Singh
...for the appellant

Mr. Santi Ranjan Das
Mr. Sanjay Sarkar
...for the State

Mr. Naren Ghosh Dastidar
...for the respondent no.4

The present appeal has been preferred challenging an order dated 22nd September, 2025 passed by the learned single Judge in the writ petition being WPA 19955 of 2025 which was preferred primarily praying for issuance of necessary direction upon the respondents to appoint the writ petitioner to the post of Assistant Headmistress of the Harinavi Subhasini Balika Sikhalaya (hereinafter referred to as the said school).

Upon hearing the learned advocates appearing for the respective parties and considering the materials on record, we are satisfied with the explanation given towards the delay in preferring the present appeal.

Accordingly, such delay is condoned and the application for condonation of delay being CAN 2 of 2025 is disposed of.

Mr. Halder, learned advocate appearing for the writ petitioner/appellant herein submits that the appellant has been denied appointment to the post of Assistant Headmistress of the said school without taking into consideration the past service rendered by her as Assistant Headmaster-cum-Teacher-in-Charge of the said school as would be explicit from the letter dated 15th February, 2023 annexed to the stay application. Had such weightage towards past service been granted to the appellant, she would have emerged to be successful in the selection process.

He argues that the appellant is the senior most teacher in the said school and she has all the requisite qualification for appointment to the post of Assistant Headmistress and in the light of such facts, her claim ought to have been favourably considered by the learned single Judge. Such arguments, as advanced, were glossed over by the learned single and no finding was returned on the same. Such infirmity warrants interference in appeal.

Mr. Ghosh Dastidar, learned advocate appearing for the school authorities denies and disputes the contention of Mr. Halder and submits that following the guidelines for recruitment of Assistant Headmaster/Assistant Headmistress as contained in

the memo dated 10th July, 2002, eligible candidates were invited to participate in the selection process. A Selection Committee was duly constituted and a panel was prepared strictly in consonance with the memo dated 10th July, 2002. In the said panel, one Reshmi Sarkar secured the first position whereas the appellant secured the third position. The said panel was also approved by the competent authority and Reshmi Sarkar has been appointed to the post of Assistant Headmistress.

He contends the appellant participated in the selection process without raising any objection but she could not emerge to be successful. As the results were not palatable, she could not have turned back and challenged the selection process. In view thereof, the learned single Judge rightly refused to exercise discretion in favour of the appellant.

Mr. Das, learned advocate appearing for the State respondents also denies the contention of Mr. Halder and submits that following the rules prescribed for appointment to the post of Assistant Headmaster due steps were taken by the school authorities and the panel prepared was duly considered and approved by the competent authority. There is no infirmity in the order of the learned single Judge and as such, no interference is called for.

We have heard the learned advocates appearing for the respective parties and considered the materials on record.

Indisputably, guidelines had been provided for recruitment to the post of Assistant Headmaster *vide* memo dated 10th July, 2002. Following the said guidelines, a Selection Committee was constituted and the eligible candidates were invited to participate in the selection process. Accepting such invitation, the appellant appeared in the selection process without raising any objection. Thereafter, a panel was prepared in which the appellant could not secure the first position. Taking note of such facts, the learned single Judge, in our opinion, rightly refused to exercise discretion in favour of the appellant.

Dealing with the factual aspects, the learned single Judge arrived at specific findings and we do not find any infirmity in the said order.

Accordingly, the appeal and the connected application are dismissed.

There shall, however, be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)