

In the High Court at Calcutta

Constitutional Writ Jurisdiction

Appellate Side

49 11.02.2026
Sc Ct. no.18

Case No. **WPA 27230 OF 2025**

In the matter of :

Mokabber Hossain & Ors.

.... Petitioners

VS.

State of West Bengal & Ors.

....Respondents

For the Petitioners:

Mr. Anindya Lahiri, Sr. Adv.
Mr. Anish Chakraborty, Adv.
Mr. Subhamoy Paul.

....Advocates

For the Respondent State:

Mr. Biplab Guha

....Advocate

For the Respondent WBBSE:

Ms. Koyeli Bhattacharyya
Mr. Bibek Datta
Mr. Manas Bhattacharyya.

....Advocates

1. Supplementary affidavit, filed by the petitioners in Court today, is taken on record.
2. The petitioners participated in 2nd SLST, 2025.
3. They are aggrieved as they could not fill up their application form by disclosing their Prior Teaching Experience on account of non-availability of the teacher code.
4. It appears that the last date for filing the application form was 21st July, 2025. The

petitioners filed their application form within the stipulated time period.

5. The instant writ petition has been affirmed and filed on 26th November, 2025 after the result of the written examination was published.
6. The petitioners submit that since they are serving in substantive posts in a recognized school they ought to be given the opportunity to fill in the application form by disclosing the period of their Prior Teaching Experience.
7. It is submitted that, one of the teachers of the same school was awarded marks on account of Prior Teaching Experience. On getting such information, the petitioners approached this Court.
8. Prayer has been made to direct the Commission to award marks to the candidates taking into consideration the period they served in the recognized school for Prior Teaching Experience.
9. The prayer of the petitioners has been opposed by the Commission. It is submitted that, the petitioners approached the Court at a delayed point of time. It has also been submitted that the candidate from the same school as that of the petitioners was wrongly awarded marks on account of Prior Teaching Experience and the said marks were thereafter deducted. No marks have been

awarded to any candidate from the said school on account of Prior Teaching Experience.

10. The Commission relies on the order passed by this Bench on **17th November, 2025** in **WPA 25701 of 2025 (Prasanta Kumar Mondal & Ors. -vs.- The State of West Bengal & Ors.)**.

11. From the submissions made by the learned senior counsel representing the petitioners it is evident that the cause of action for filing the instant writ petition arose at the time when the petitioners were unable to fill in the application forms by disclosing the details of their Prior Teaching Experience. The petitioners did not raise any objection at that initial point of time.

12. They participated in the written test for the recruitment examination. It is only after the result of the written examination was published and the preliminary list of candidates was prepared disclosing marks awarded on account of Prior Teaching Experience to the referred candidate from the same school as that of the petitioners, the petitioners filed the instant writ petition.

13. The Commission has already disclosed that marks on account of Prior Teaching Experience was erroneously awarded in favour of the referred candidate and the error has since been rectified by deducting the said marks.

14. It appears that the petitioners acted as fence sitters. They have approached the Court at an extremely delayed point of time. Had the petitioners been genuinely aggrieved by the act of the Commission in not allowing them to incorporate their Prior Teaching Experience at the time of filing their application form, they ought to have rushed to the Court at that stage. They failed to do so. Even after appearing in the written examination, the petitioners did not approach the Court. They approached the Court after the interview list was published.
15. The list of selected candidates is due to be published soon. If any interference is made in this matter, the same may unsettle the list which has been prepared by the Commission.
16. The Court is not inclined to allow the prayer of the petitioners.
17. The writ petition fails and is hereby dismissed.
18. Urgent Photostat certified copy of this order, if applied for, be furnished after completion of the usual formalities.

(Amrita Sinha, J.)