

MAT 2323 of 2025
with
IA No. CAN 1 of 2025
(The West Bengal Central School Service Commission & Ors.
Vs. Rinku Sen & Ors.)

Mr. Kalyan Kumar Bandopadhyay, Sr. Adv. (V/C)
Mr. Biswaroop Bhattacharya
Ms. Praniti Bandopadhyay
Mr. Arka Kumar Nag
Mr. Rahul Kumar Singh (V/C)
.... For the appellants

Mr. Sirsanya Bandopadhyay, Sr. Stng. Consl.
Mr. Vivekananda Bose
Mr. Sandip Das Gupta
Ms. Maima Cholera
Mr. Niket Ojha
..... For the State

Mr. Firdous Samim
Ms. Gopa Biswas
Mr. Hasanuz Zaman
Mr. Ayush Majumdar
Mr. Rajosik Dutta
Mr. Hasibur Rahaman Jamadar
..... For the respondent/writ
petitioner no. 1

The issue which arises for consideration in the present appeal is as to whether in the facts and circumstances of the case, the West Bengal Central School Service Commission (hereinafter referred to as the said Commission) can be directed to allow the writ petitioner/respondent no. 1 herein to appear in the interview-cum-lecture demonstration (hereinafter referred to as the said interview) pertaining to the subject of Economics (PG) scheduled to be held on 8th January, 2026.

Mr. Bandopadhyay, learned senior advocate appearing for the Commission submits that the writ petitioner could not appear in the interview earlier fixed on 19th December, 2025 due to her own fault and such fact has also been admitted by her in the representation dated 22nd December, 2025. In view thereof, grant of any further opportunity to the writ petitioner upon rescheduling a date for such interview would stand out to be an instance of misplaced sympathy.

Mr. Samim, learned advocate appearing for the writ petitioner, however, submits that the writ petitioner was a wait-listed candidate in the 1st State Level Selection Test, 2016 and that a sympathetic view needs to be taken in the present matter since it is a fact that she was sick on and from 18th December, 2025 and accordingly, she could not appear in the interview scheduled on 19th December, 2025.

Indisputably, the argument, as advanced by Mr. Bandopadhyay, carries weight. However, considering the fact that the writ petitioner had already attained the age of 42 years and that she would be age barred for participation in any other selection process for appointment to the post of a teacher, in the future, this Court directed Mr. Bandopadhyay to take instruction as to whether an opportunity can be granted to her to appear in the interview scheduled on 8th January, 2026.

In answer thereto, Mr. Bandopadhyay submits, upon instruction, that the writ petitioner may be granted such opportunity only if such direction is not treated as a precedent.

In view thereof and considering the peculiar facts and circumstances of the case, this Court directs the Commission to allow the writ petitioner to appear in the interview as scheduled on 8th January, 2026 at 10.30 a.m. at DK-7/2, Salt Lake, Sector-II, Kolkata-700 091 (Beside Anandalok Hospital), 2nd Office of WB Central School Service Commission.

It is made clear that the above direction has been issued in the peculiar facts and circumstances of the case and the same would not be treated as a precedent.

With the above observations and directions the appeal and the connected application are disposed of.

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.)