

Form No. J.(2)

Item No. 6

adeb - AR (CT)

Ct. No. 5

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

Before:

THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

W.P.A. 2733 of 2025

Joydeb Barman

VS.

The State of West Bengal & Ors.

For the Petitioner	:	Mr. Debajit Kundu
For the State	:	Mr. Subit Kumar Saha, Ld. AGP Mr. Kumar Shantanu
For the SSC	:	Dr. Sutanu Kumar Patra Mr. Sunit Kumar Roy
Hearing concluded on	:	18.02.2026
Judgment on:	:	18.02.2026

SAUGATA BHATTACHARYYA, J:

1. Affidavit of service filed on behalf of the petitioner is taken
on record.

2. In the writ petition memo dated 6th March, 2025 issued by the Chairman, West Bengal Central School Service Commission (for short, Commission) is questioned whereby recommendation for appointment of the petitioner as Assistant Teacher in Bio-Science in upper primary section in a secondary school was cancelled.
3. Petitioner participated in 1st State Level Selection Test, 2016 for being appointed as assistant teacher in upper primary section of a Government aided school.
4. It is submitted by the learned advocate representing the petitioner that petitioner was recommended vide memo dated 19th November, 2024 by the Chairman of the Commission for being appointed as Assistant Teacher in Bio-Science in upper primary section. Pursuant to such recommendation memo dated 19th November, 2024 an appointment letter was issued on 30th November, 2024 by the concerned school authority and petitioner joined the post of assistant teacher on 3rd December, 2024. However, recommendation of the petitioner which was issued vide memo dated 19th November, 2024 was abruptly cancelled as it is submitted by the learned advocate.
5. It is contended on behalf of the petitioner that petitioner participated in 1st SLST, 2016 (Upper Primary) as

untrained candidate. Therefore, question of considering training qualification for cancelling recommendation memo dated 19th November, 2024 does not arise as such impugned memo dated 6th March, 2025 is an erroneous order.

6. Dr. Sutanu Kumar Patra, learned advocate assisted by Mr. Sunit Kumar Roy, learned advocate represent Commission and both of them appear on virtual mode.
7. State respondents are represented by Mr. Subir Kumar Saha, learned Additional Government Pleader.
8. It is submitted on behalf of the Commission that petitioner applied as a trained candidate not untrained candidate based on recommendation memo dated 19th November, 2024 wherein qualification of the petitioner was stipulated as graduate with B.Ed. It is also submitted that petitioner was never treated as untrained candidate rather treating the petitioner having B.Ed qualification candidature of the petitioner was appraised and recommendation was made on 19th November, 2024. Subsequently, while scrutinizing educational qualification of the petitioner based on testimonials produced before the concerned authority of Commission it was found that petitioner had one year PTI training in 2001 which is not the prescribed training

qualification in terms of the West Bengal School Service Commission (Selection for Appointment to the Posts of Teachers for Upper Primary Level of Schools) Rules, 2016 (for short Rules of 2016) as a result whereof recommendation memo issued in favour of the petitioner vide memo dated 19th November, 2024 had to be cancelled by issuing memo dated 6th March, 2025.

9. Learned advocate representing the State respondents supports the contention raised on behalf of the Commission.

10. Taking note of the submission made on behalf of the petitioner it can be recorded that no effort has been made to substantiate that petitioner is possessing requisite training qualification in terms of said Rules of 2016 rather it is submitted that without training qualification of the petitioner he was selected for the post of assistant teacher in upper primary section as petitioner applied being untrained candidate.

11. It is already pointed out by the learned advocate representing the Commission in reference to recommendation memo dated 19th November, 2024 that qualification of the petitioner is graduate with B.Ed which goes to show that petitioner applied as trained candidate

having B.Ed qualification. Such submission made on behalf of the Commission is corroborated by the statements made in paragraph 7 of the writ petition wherein it is averred that petitioner was appointed to the post of assistant teacher for upper primary section on the basis of his qualification i.e. B.Tech in Bio-Technology and B.Ed. Therefore, it can be inferred that petitioner participated in 1st SLST, 2016 as trained candidate.

12. Now question arises whether petitioner possesses valid training qualification or not. In this regard Court is required to consider Schedule-I Part-A of the said Rules of 2016 wherein essential qualifications including training qualifications are prescribed and nowhere it has been provided therein that one year PTTI training is a valid training qualification.

13. From aforesaid discussion it transpires first that petitioner did not apply as untrained candidate and if petitioner applied as trained candidate the training qualification of the petitioner is not a valid qualification in terms of Schedule-I of the said Rules of 2016.

14. Moreover, Rule 18 of the said Rules of 2016 empowers the Commission to cancel or withdraw recommendation in the event of mistake or fault committed by the Commission in

granting recommendation wrongly to any candidate in contradiction to the provisions of the Act, Rules or other conditions as may be laid down.

15. In the present case, Commission issued recommendation by mistake vide memo dated 19th November, 2024 and same was withdrawn by memo dated 6th March, 2025 which appears to be permissible in terms of Rule 18 of the said Rules of 2016.

16. Hence, no relief can be granted to the petitioner.

17. Writ petition stands dismissed.

18. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)