

S/L 1
02.01.2025
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 22163 of 2024

Uma Rani Maji (Samanta)

Vs.

The State of West Bengal & Ors.

Mr. Biswarup Biswas
Mr. Pradip Kumar Ghosh
Mrs. Namita Basu

...for the Petitioner.

Mr. Santanu Kumar Mitra
Mr. Amartya Pal

...for the State.

Mr. Samiran Giri

...for the DPSC, Purba Medinipore.

Affidavit of service filed on behalf of the petitioner be kept with the record.

The District Primary School Council, Purba Medinipore, in the year 2009, had initiated a recruitment process for appointment of the Assistant Teachers in primary schools of the District.

The petitioner had participated in the said selection process.

The Commissioner of School Education, Government of West Bengal, the respondent no.2 herein, in compliance with the order passed by the Hon'ble Supreme Court in *Civil Appeal No. 1071 of 2019*, arising out of *WPA No. 21497 of 2023* and other analogous matters, had issued the memorandum bearing *No.302-LP/IC-376/LP/2023* dated May 20, 2024 whereby the panel of 45 candidates successful in the said selection prepared by the Council was approved with an observation regarding the candidature of the petitioner that her roll number disclosed in the writ petition is not matching with her other documents relating to the said selection process.

The grievance of the petitioner is that in spite of such approval, the Council, by the impugned communication dated June 14, 2024 has informed the petitioner that her candidature has been rejected on the ground that she is not eligible for appointment in the said post.

Mr. Biswas, learned advocate for the petitioner submits that the Council, after approval of the panel featuring the name of the petitioner by the respondent no.2, cannot declare that she is not eligible for the appointment.

Mr. Giri, learned advocate for the Council submits that a flawed panel was sent for approval of the respondent no.2; which however, was corrected by the Director of School Education with the issuance of a corrigendum; in pursuance thereof, the correct panel was prepared, which did not feature the name of the petitioner as her score in the said selection test was below the cutoff mark. He further submits that the Council shall file a report in this regard.

Let such report be filed in the form of affidavit. The petitioner is at liberty to use exception to the said report.

The report and the exception thereto, if any, be filed on the next date of hearing.

Matter be placed in the **Supplementary list** on **January 27, 2025**.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance of all requisite formalities.

(Biswajit Basu, J.)