

06-11-2025
Item No.27
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.24899 of 2025
Vim Kumar Sarkar & Ors.

-VS-

State of West Bengal & Ors.

with

CAN No.1 of 2025

with

CAN No.2 of 2025

(not in file)

with

CAN No.3 of 2025

(not in file)

and

CAN No.4 of 2024

(not in list)

Mr. Bikash Ranjan Bhattacharyya, sr. adv.
Mr. Firdous Samim, adv.
Ms. Gopa Biswas, adv.
Mr. Mainak Ghosal, adv.
Mr. Hasanuz Zaman Molla, adv.
Ms. Ankita Ghosh, adv.
Ms. Rajashree Saha, adv.
Mr. Hasibur Rahaman Jamader, adv.
Mr. Ayush Majumder, adv.
Mr. Rajosik Dutta, adv.
Ms. Salini Bhattacharjee, adv.
Ms. Brinta Dutta, adv.
Mr. Naman Shah, adv. ...for the petitioners

Mr. Sirsanya Bandopadhyay, SSC
Mr. Tarak Karan, adv.
Mr. Sandip Dasgupta, adv.
Mr. Niket Ojha, adv. ...for the State

Mr. Biswaroop Bhattacharya, adv.
Mr. Arka Kumar Nag, adv.
Mr. Rahul Kumar Singh, adv.
Mr. P. Bandopadhyay, adv.
...for WB Central School Service Commission

Ms. Koyeli Bhattacharyya, adv.
Mr. Bibek Dutta, adv.
...for WB Board of Secondary Education

Mr. Pratik Dhar, sr. adv.
 Mr. Niladri Sekhar Ghosh, adv.
 Mr. Sakhawt Khandakar, adv.
 Mr. Snehal Sinha, adv. ...for CAN 1/2025

Mr. Subir Sanyal, sr. adv.
 Mr. Ali Ahsan Alamgir, adv.
 Ms. Rabia Khatoon, adv.
 Ms. Soma Mal, adv. ...for CAN 2/2025

Mr. Anindya Kumar Mitra, sr. adv.
 Mr. Abhishjek Halder, adv.
 Ms. Sumedha Halder, adv.
 Ms. June Modak, adv. ...for CAN 3/2025

Dr. Menaka Guruswamy, adv.
 Mr. Rajarshi Dutta, adv.
 Mr. Abhik Chitta Kundu, adv. ...for CAN 4/2025

1. Certain provision of the Kolkata Gazette Notification dated May 29, 2025 pertaining to recruitment published by the School Education Department, Government of West Bengal is impugned in the instant writ petition. More particularly, the weightage of marks provided for prior teaching experience is assailed.
2. According to the petitioners, the same is contrary to Article 14 of the Constitution of India; and the notification seeks to create a class amongst class, which is impermissible in law.
3. Four connected applications have been filed seeking intervention. The applicants and the respondents in the writ petition oppose the submission as well as the prayers of the petitioners.
4. The matter has been heard to some extent. The petitioners would give reply on the returnable date.
5. Let a copy of all pleadings and documents be served and exchanged by and between all the

parties.

6. Since the vires of the Rules are challenged, let copy of all documents be served on the learned Advocate General forthwith.
7. The matter is made returnable on November 12, 2025.
8. Learned counsel representing the School Service Commission is directed to produce the preamble of the list published by the Commission disclosing details of the tainted and untainted candidates in compliance of the direction passed by the Hon'ble Supreme Court on the returnable date. The total number of candidates whose names have been published in the said list shall also be disclosed at the time of hearing.
9. It has been brought to the notice of the Court that several writ petitions on the same/similar issue are pending consideration. Let all the writ petitions be placed with this instant writ petition on the next date.
10. Learned advocates-on-record for the parties are requested to supply the writ petition numbers to the Officer attached to this Court for enlistment.
11. The issue of maintainability of the writ petition as raised by the respondents is left open.
12. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
13. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

