

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 27976 of 2025

Ejaz Ahmed & Anr.
-versus
The State of West Bengal & Ors.

Mr. Uday Sankar Chattopadhyay
Mr. Suman Sankar Chatterjee
Mr. Pronay Basak
...For the Petitioners

Mr. Sirsanya Bandyopadhyay, Sr. SC
Mr. Suddha Deb Adak
Mr. Sandip Das Gupta
Mr. Saaqib Siddiqui
Ms. Mahima Chobera
Mr. Niket Ojha
... For the State

Mr. Biswaroop Bhattacharjee
Mr. Arka Kumar Nag
Mr. Rahul Kumar Singh
... For the WBCSSC

Ms. Koyeli Bhattacharyya
... WBBSE

1. The petitioners participated in the recruitment process for appointment of Assistant Teachers for the year 2025 conducted by the West Bengal Central School Service Commission.

2. They are the candidates who lost their job in view of the order passed by the Hon'ble Supreme Court in **Civil Appeal No. 4800 of 2024** in the matter of **State of West Bengal v. Baishakhi Bhattacharjee (Chatterjee) & Ors.**

3. They allege that the fresh selection process ought to have been conducted in terms of the direction passed by the Hon'ble Supreme Court in accordance with the 2016 Recruitment Rules and not the 2025

Recruitment Rules. The Hon'ble Supreme Court never directed the Commission to conduct the selection process by introducing the fresh Rule.

4. In the fresh Rule of 2025, the mode of assessment of the educational qualification of the candidates has been changed from the one that was prevailing in the year 2016. The number of vacancies in respect of the posts in which the petitioners were earlier serving has either been reserved for the reserved category candidates or the strength of such posts has been decreased substantially. The same is adversely affecting the right of the petitioners in participating in the recruitment process.

5. The respondents oppose the submission made on behalf of the petitioners. It has been submitted that the writ petition, at the instance of the petitioner no.1, will not be maintainable as the same will be hit by the provision of Order II Rule 2 of the Code of Civil Procedure.

6. The matter is required to be heard.

7. Let affidavit-in-opposition be filed by the respondents within 23rd December, 2025. Reply, if any, be filed by 6th January, 2026.

8. Re-list the matter on 14th January, 2026.

9. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

(Amrita Sinha, J.)