

ITEM NO.35

COURT NO.5

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No.30620/2011

(Arising out of impugned final judgment and order dated 29-04-2011 in FMA No.768/2007 passed by the High Court At Calcutta)

SRI KRISHANU ROY

Petitioner(s)

VERSUS

SRI TULSI ROY &amp; ORS.

Respondent(s)

WITH

Diary No.13368/2018 (XVI)

(FOR ADMISSION and I.R.; and, IA No.60505/2018-CONDONATION OF DELAY IN FILING)

Date : 14-01-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s) Mr. Soumya Chakraborty, Sr. Adv.  
Mr. Danish Zubair Khan, AORMr. Kunal Chatterji, AOR  
Ms. Maitrayee Banerjee, Adv.  
Mr. Saurav Gupta, Adv.  
Mr. Mohit Singh, Adv.

For Respondent(s) Mr. Rauf Rahim, AOR

Mr. Suhaan Mukerji, Adv.  
Mr. Harsh Hiroo Gursahani, Adv.  
Ms. Astha Sharma, Adv.  
Mr. Amit Verma, Adv.  
Ms. Kajal Dalal, Adv.  
M/s. PLR Chambers And Co., AOR

UPON hearing the counsel the Court made the following  
O R D E R

SLP (C) No.30620/2011

Heard learned counsel for the parties.

Learned counsel for the petitioner submits that the petitioner is still in service.

Since the petitioner is working, we allow him to continue till the fresh selection is made. However, he may be allowed to participate in the selection process, by giving age relaxation in case he was within the age as on the date, on which he was appointed.

Let a fresh selection take place, within three months from today, as per the West Bengal School Service Commission (Selection of Persons for Appointment to the Post of Non-Teaching Staff) Rules, 2009.

On merits, no case for interference is made out.

The special leave petition is disposed of, in aforesaid terms.

Pending application(s), if any, shall stand disposed of.

SLP (C) Diary No.13368/2018 (XVI)

Delay condoned.

Heard learned counsel for the parties.

We do not see any reason to interfere in the matter. The special petition is, accordingly, dismissed.

**Pending application(s), if any, shall stand disposed of.**

**(MUKESH KUMAR)  
COURT MASTER**

**(JAGDISH CHANDER)  
BRANCH OFFICER**