

06.12.2023
Item No.1-50
Court No.5
CHC

WPA 13700 of 2021
IA NO: CAN/1/2022
CAN/2/2022
CAN/3/2023
CAN/4/2023
CAN/5/2023
CAN/6/2023
CAN/7/2023
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CAN/10/2023
CAN/11/2023
CAN/13/2023
CAN/14/2023
CAN/15/2023
CAN/16/2023

Setab Uddin & ors.
Vs.
The State of West Bengal & ors.
With

WPA 13701 of 2021
(fine in dept)
IA NO: CAN/1/2022

Md Abdul Gani Ansari
Vs.
State of West Bengal & ors.
With

WPA 17273 of 2021
(file in dept.)
IA NO: CAN/1/2022

Nasrin Khatun
Vs.
State of West Bengal & ors.
With

WPA 5538 of 2022
(fine in dept.)
IA NO: CAN/2/2022
CAN/3/2022

Anindita Bera
Vs.
State of West Bengal & ors.
With

WPA 25380 of 2022
IA NO: CAN/1/2023

Subhamay Bhunia & ors.
Vs.
State of West Bengal & ors.

with

MAT 85 of 2023*Gopinath Bhanja & Ors.**Vs.**Setab Uddin & Ors**With***MAT 124 of 2023***Hafizur Rahaman & Ors.**Vs.**Setab Uddin**With***MAT 244 of 2023****IA No.: CAN 1 of 2023***Soumen Kumar Das & Ors.**Vs.**State of West Bengal & Ors.**With***MAT 245 of 2023***Arup Sarkar & Ors.**Vs.**Subhamay Bhunia & Ors.**With***MAT 250 of 2023****IA No.: CAN 1 of 2023****CAN 2 of 2023****CAN 3 of 2023****CAN 4 of 2023***Achinta Kr Mondal & Ors.**Vs.**The State of West Bengal & Ors.**With***MAT 290 of 2023****(file in dept.)***Pritisha Das & ors.**Vs.**Subhamay Bhunia & ors.**With***MAT 304 of 2023***Nirupam Das & ors.**Vs.**State of West Bengal & ors.**With***MAT 557 of 2023***IA NO: CAN/1/2023**Brajadulal Giri & ors.**Vs.**State of West Bengal & ors.*

With
WPA 7952 of 2023
(file in dept.)

Supriti Paria

Vs.

State of West Bengal & ors.

With

WPA 20034 of 2019

Mahadeb Duley & ors.

Vs.

State of West Bengal & ors.

With

WPA 12266 of 2021

(file in dept.)

IA NO:CAN/1/2021

CAN/2/2021

CAN/3/2021

CAN/4/2021

CAN/5/2021

CAN/6/2022

Sandeep Prasad & ors.

Vs.

State of West Bengal & ors.

With

WPA 18585 of 2021

IA NO:CAN/1/2023

Luxmi Tunga & ors.

Vs.

State of West Bengal & ors.

With

MAT 250 of 2023

IA NO:CAN/1/2023

CAN/2/2023

CAN/3/2023

CAN/4/2023

Achinta Kr. Mondal

Vs.

State of West Bengal & ors.

with

MAT 259 of 2023

IA No.: CAN 1 of 2023

CAN 2 of 2023

Samiran Maity & Ors.

Vs.

Laxmi Tunga & Ors.

With

MAT 274 of 2023

IA No.: CAN 1 of 2023

Achinta Kr Mondal & Ors.

Vs.

Laxmi Tunga & Ors.

With

MAT 276 of 2023

**IA No.: CAN 1 of 2023
CAN 2 of 2023**

Susovan Satpathi & Ors.
Vs.
Laxmi Tunga & Ors.

With
MAT 284 of 2023
IA No.: CAN 1 of 2023
CAN 2 of 2023

Arnab Paul Chowdhury & Ors.
Vs.
Laxmi Tunga & Ors.

With
MAT 275 of 2023

Aritra Saha
Vs.
Laxmi Tunga & Ors.

With
MAT 318 of 2023
IA NO:CAN/1/2023
Rakhi Das Maity & ors.
Vs.

Laxmi Tunga
With
MAT 334 of 2023
(file in dept.)
IA NO:CAN/1/2023
Prodip Kumar Roy & ors.
Vs.

Laxmi Tunga & ors.
With

MAT 336 of 2023
File in dept.

IA NO:CAN/1/2023
Bablu Sardar & ors.
Vs.

Laxmi Tunga & ors.
With

MAT 338 of 2023
(file in dept.)

IA NO:CAN/1/2023
Pandab Gorai & ors.
Vs.

Laxmi Tunga & ors.
With

MAT 342 of 2023
(fine in dept.)

IA NO:CAN/1/2023
Tanmoy Dey and ors.

Vs.
Laxmi Tunga & ors.
 With
MAT 343 of 2023
(file in dept.)
IA NO:CAN/1/2023
Gobinda Biswas & ors.
 Vs.
Laxmi Tunga & ors.
 With
MAT 344 of 2023
(file in dept.)
IA NO:CAN/1/2023
Juel Sarkar & ors.
 Vs.
Laxmi Tunga & ors.
 With
MAT 345 of 2023
(file in dept.)
IA NO:CAN/1/2023
Nuralam Sk. & ors.
 Vs.
Laxmi Tunga & ors.
 With
MAT 346 of 2023
(file in dept.)
IA NOCAN/1/2023
Papiya Dutta & ors.
 Vs.
Laxmi Tunga & ors.
 With
MAT 358 of 2023
(fine in dept.)
IA NO:CAN/1/2023
Biplab Sarkar & ors.
 Vs.
Laxmi Tunga & ors.
 With
MAT 359 of 2023
(file in dept.)
IA NO:CAN/1/2023
Nimai Barman & ors.
 Vs.
Laxmi Tunga & ors.
 With
MAT 361 of 2023
(file in dept.)
IA NOCAN/1/2023
Anup Dutta & ors.
 Vs.
Laxmi Tunga & ors.
 With
MAT 382 of 2023
(file in dept.)
IA NOCAN/1/2023

Bishnupriya Mondal & ors.
Vs.
Laxmi Tunga & ors.
with

WPA 20022 of 2019
(file in dept.)

Pampa Biswas
Vs.
State of West Bengal & ors.
with

WPA 20039 of 2019

Javed Hyder & ors.
Vs.
State of West Bengal & ors.
with

WPA 3654 of 2021

Saikat AAdhikari & ors.
Vs.
State of West Bengal & ors.
with

WPA 12270 of 2021
(file in dept.)

IA NOCAN/1/2023
CAN/2/2023
CAN/3/2023

Sabina Yeasmin & ors.
Vs.
State of West Bengal & ors.
with

WPA 18590 of 2021
(file in dept.)

Amit Ghosh
Vs.
State of West Bengal & ors.
with

MAT 443 of 2023
IA NO:CAN/1/2023

Arup Ratan Show & ors.
Vs.
Sabina Yeasmin & ors.
with

MAT 457 of 2023
IA NO:CAN/1/2023

Subhadip Saha & ors.
Vs.

Sabina Yeasmin & ors.
with

MAT 458 of 2023
IA NOCAN/1/2023

Subhadip Paik & ors.
Vs.
Sabina Yeasmin & ors.
with

MAT 476 of 2023
IA NO:CAN/1/2023

Koushik Mukherjee.
Vs.
Sabina Yeasmin & ors.
with

MAT 502 of 2023
IA NOCAN/1/2023

Goutam Patra & ors.
Vs.
Sabina Yeasmin & ors.
with

MAT 470 of 2023
IA NO:CAN/1/2023

Debasis Roy & ors.
Vs.
Sabina Yeasmin & ors.
with

MAT 521 of 2023
IA NOCAN/1/2023

Kaji Enamul Hoque & ors.
Vs.
Sabina Yeasmin & ors.
with

WPA 5406 of 2022
IA NO:CAN/1/2022

CAN/3/2022
CAN/4/2022
CAN/5/2022
CAN/6/2022
CAN/7/2022
CAN/11/2023
CAN/12/2023

Babita Sarkar.
Vs.
State of West Bengal & ors.
with

MAT 1302 of 2023

Tanmoy Sinha & Ors.

Vs.
Babita Sarkar & Ors.

With
MAT 1304 of 2023

Supratim Manna & Ors.
Vs.
Babita Sarkar & Ors.

Mr. Kalyan Bandhopadhyay, Ld. Sr. Advocate
Mr. Anindya Lahiri
Mr. Samrat Dey Paul
Ms. Pranati Das
Mr. Anish Chakraborty
For the CAN/ 16/2023 for addition of
party

Mr. Kalyan Bandhopadhyay, Ld. Sr. Advocate
Mr. Suman Sengupta,
Mr. Rahul Kumar Singh
For the applicants in CAN/ 1/2023 in
WPA 18585 of 2023

For the appellants in MAT 85 of 2023
Mr. Kalyan Bandhopadhyay, Ld. Sr. Advocate
Mr. Anindya Lahiri
Ms. Puspall Chakraborty
Mr. Samrat Dey Paul
Ms. Pranati Das
Mr. Prisanika Ganguly
Mr. Anish Chakraborty
For the appellants in MAT 85 of 2023

Mr. Bikash Ranjan Bhattacharya, Ld. Sr. Advocate
Mr. Sudipta Dasgupta,
Mr. Bikram Banerjee,
Mr. Arka Nandi,
Mr. Saikat Sutradhar
... for the writ petitioners in WPA 5538/2022,
WPA 25380/2022, MAT 245/2023, WPA 20034 of 2019,
WPA 12266 of 2021, WPA 20022 of 2019 to WPA 12270
of 2021, MAT 443 of 2023 to MAT 521 of 2023.

Mr. Bikash Ranjan Bhattacharyya, Ld. Sr. Advocate
Mr. Firdous Samim
Mr. Gopa Biswas
Ms. Payel Shome
Ms. Sampriati Saha
... for the respondent/ writ petitioners in WPA
13700/2021, WPA 13701 of 2021,
WPA 17273/2021, WPA 18585/2021, WPA
18590/2021, WPA 5406/2022, MAT 85 of
2023, MAT 124 of 2023, MAT 250 of 2023, MAT
259 of 2023, MAT 274 of 2023, MAT 276 of 2023,
MAT 284 of 2023, MAT 275 of 2023, MAT

318/2023, MAT/334/2023, MAT/336/2023,
MAT 338/2023, MAT 342/2023, MAT
343/2023, MAT 344/2023, MAT 344/2023
MAT, MAT 345/2023, MAT 346/2023
MAT 358/2023, MAT 359/2023,
MAT 361/2023, MAT 382 of 2023, MAT 1302 of
2023 and MAT 1304 of 2023.

Mr. Dhiraj Trivedi, DSGI
Mr. Samrat Goswami
For the ED

Mr. S. Ghosh,
Mr. Sakhawat Khandakar,
Ms. Swati Jha
For the appellant in MAT 457/2023

Mr. Shamim-ul Bari
... for the State-respondent in MAT 259 of 2023.

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
... for the State in MAT 1302 of 2023.

Mr. Siddhartha Banerjee
Mr. Rajib Mullick
Ms. Ayantika Saha
... for the petitioner in WPA 7952 of 2023.

Mr. Ashis Kumar Chowdhury
... for the added party in WPA13700/2021.

Mr. Utkarsh Kaushik
Mrs. Devyani Ashra
... for the appellants in MAT 318 of 2023.
MAT 276/2023

Mr. Anindya Bose
Mr. Soumya Sankar Chini
... for the appellants MAT 259/2023

Mr. P.S. Deb Barman, Ld. Advocate
Mr. Aninda Bose,
Mr. Raja Adhikary,
Mr. Amit Gupta,
Mr. Debasis Nandi,
Mr. Shaharyar Alam,
Md. M. Nazar Chowdhury,
Marghoob A. Salik
... for the appellants in MAT 250 of 2023
and MAT 274 of 2023, MAT 334/2023,
MAT 336/2023 to MAT 382/2023, MAT

443/2023 to MAT 502/2023, MAT 470/2023,
MAT 521/2023

Mr. Rajnil Mukherjee

Mr. Mastafizur Rahaman

Ms. Debolina Sarkar

Ms. Satabdi Dey

*... for the proposed applicant in CAN 4
of 2023 in MAT 250 of 2023.*

Mr. Subir Sanyal,

Mr. Amiya Kumar Dutta,

Mr. Swadesh Priya Ghosh,

Mr. Shantanu Talukder,

... for I/A in SLP

Ms. Koyeli Bhattacharyya

*... for the West Bengal Board of
Secondary Education.*

Dr. Sutanu Kumar Patra

Ms. Supriya Dubey

Ms. Debolina Chakraborty

... for the WBCSSC

Mr. Billwadal Bhattacharyya, Dy. S.G.I.

Mr. Arijit Majumdar

... for the CBI

Mr. Jaydeep Kar, Sr. Advocate

Mr. Abhratosh Majumder, Sr. Advocate

Mr. Sidhartha Banerjee,

Mr. Rajib Mullick,

Mr. Abhishek Baran Das,

Ms. Ayantika Saha,

Ms. Sohili Sen

*For the applicants in MAT 290/2023,
MAT 304/2023, MAT 557/2023*

Mr. Pranit Kr. Ray, Sr. Advocate

Mr. Shaunak Ghosh,

Ms. Soheli Sen,

Mr. Rajib Mullick,

Ms. Ayantika Saha

*For the applicants in MAT 276/2023, MAT
318/23, MAT 359/2023*

Mr. Bhaskar Prasad Vaisya, Ld. A.G.P.

Mr. Suman Dey

*For the State in WPA 17273/21,
WPA 5538/2022,*

Mr. Bhaskar Prasad Vaisya, Ld. A.G.P.

Mr. Mrinal Kanti Ghosh

For the State in WPA 25380/2022,

*Mr. Bhaskar Prasad Vaisya, Ld. A.G.P.
Mr. Nilay Baran Mandal,
For the State in WPA 12266/2021*

*Mr. Bhaskar Prasad Vaisya, Ld. A.G.P.
Mr. Arindam Chattopadhyay
For the State in WPA 5406/2022*

*Mr. Bisroop Bhattacharya,
Mr. Pratik Majumder,
Mr. Snehasish Dey
For the applicants in CAN/3/2023 in
WPA 5406/2022*

Fifty matters are taken up for consideration as they relate to the order dated November 9, 2023 passed by the Hon'ble Supreme Court in Special Leave Petition (Civil) No(S). 4078-4079/2023.

The attention of the Court is drawn to other writ petitions which are not appearing in the list today. Details of such writ petitions are submitted in Court. They may be added to the list.

The writ petitions and appeals relate to selection of employees by the School Service Commission in four categories namely, teachers of Class-IX, X, XI-XII and Group-C and Group-D staff for the year 2016.

Apparently, the writ petitioners claim that the entirety of the selection process was vitiated.

In view of the claim of the writ petitioners, it would be appropriate that, the persons who received employment through the selection process for those four categories for that particular year should be given notice of pendency of these proceedings.

Rival contentions are raised with regard to persons

who should give notice to the affected parties. On one part of the spectrum is the contention that, the writ petitioners should take the responsibility and do the needful. While on the other side of the spectrum it is contended that the Court should devise an appropriate method for notifying the persons affected.

We propose to take the assistance of the State in issuance of notice to the persons who received employment for the four categories of the subject year concerned. We do that keeping in mind the quality of the matter as also the fact that the writ petitioners are unemployed youths seeking appointments.

State will ensure that those persons affected should receive a notice in writing of the order of the Hon'ble Supreme Court in Special Leave Petition (Civil) No(S). 4078-4079/2023 as also the order of this Court passed yesterday and today.

State should issue such notice to the persons concerned before disbursement of the salary for the month of December, 2023. State will appoint a Nodal Officer for this purpose, and who will affirm an affidavit reporting compliance with this order.

Learned advocates for the parties are requested to provide the Second Judge's copy of the writ petitions and applications.

A number of applications for addition of parties are pending in these proceedings.

In view of the judgment and order dated November 9, 2023 of the Hon'ble Supreme Court passed in Special Leave Petition (Civil) No(S). 4078-4079/2023, and the nature of claim made by them it would be appropriate to add those applicants as party respondents to the respective writ petitions where they seek to be added. The applications for addition to that limited extent are allowed.

Learned advocate-on-records for the writ petitioners are requested to amend the cause-title accordingly.

The Hon'ble Supreme Court by the order dated November 9, 2023 granted liberty to parties to file appropriate application if so desired.

Parties therefore, are at liberty to file such appropriate application within seven days from date.

It would be appropriate to permit the parties to the writ petitions, after the application for addition being allowed, one opportunity to file affidavits.

Let affidavit-in-opposition to the writ petition be filed by December 18, 2023. Reply, if any, be filed by January 3, 2024.

There is consensus amongst the learned advocates for the parties that the hearing of the writ petitions should commence on and from January 9, 2024.

In such circumstances, these matters be placed under the heading for hearing **"Specially Assigned"** on

January 9, 2024.

List these matters also on December 13, 2023 so as to consider the affidavit of the School Service Commission as called for.

Learned advocates appearing for the respective parties are requested to formulate issues for decision and to make over a copy thereof to the Court before commencement of hearing.

Parties are at liberty to rely upon written notes of argument. It is however, made clear that written notes of arguments be not voluminous.

Parties are requested not to embarrass the Court with any prayer for adjournment given timeline fixed and guidelines given the Supreme Court.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

