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Sambhu Charan Bera vs The State Of West Bengal & Ors on 30 October, 2026

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Calcutta High Court (Appellete Side)

Sambhu Charan Bera vs The State Of West Bengal & Ors on 30 October, 2026

2026:CHC-AS:1905

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present :- Hon'ble Justice Rishad Medora

WPA 31497 of 2026

Sambhu Charan Bera
Vs.
The State of West Bengal & Ors.

For the writ petitioner :- Mr. Imtiaz Uddin,
Mr. Anindya Sundar Das,
Ms. Shabnam Yeasmin,
Ms. Madhurima Dutta.

For the WBBPE :- Mr. Subir Sanyal, ld. Sr. adv.,
Mr. Ratul Biswas,
Mr. Sanshik Chowdhury.

For the State :- Ms. Aparna Banerjee, ld. AGP.,
Mr. Sukanta Ghosh,
Ms. Tanushree Ghosh.

Heard on :- 30.10.2026

Judgment on :- 30.10.2026

Rishad Medora, J.:-

1. Affidavit-of-service filed by the petitioner, in Court today, is taken on record.

2. The petitioner has filed the present writ petition praying for, inter alia, a writ commanding the concerned respondents to forthwith permit the petitioner to submit his application for recruitment to the post of Assistant Teacher in Primary Schools pursuant to Notification No. 2141/WBBPE/2025/59R-09/2024 dated 25th September, 2025 and Notification Memo No. 2367/WBBPE/2025/59R-09/2024 dated 19th

November, 2025 by enabling access to the online portal for the petitioner or by accepting his application in physical form.

3. Learned advocate appearing for the petitioner submits that his client is a citizen of India and belongs to other backward classes (OBC) category.

4. Learned advocate for the petitioner further submits that the petitioner

is a TET-qualified OBC candidate. The petitioner appeared in the Teacher Eligibility Test (TET) held on December 11, 2022, the results whereof were declared on November 10, 2023 and his client was declared qualified.

5. By the aforesaid notification dated September 25, 2025 followed by the aforesaid notification dated November 19, 2025, the West Bengal Board of Primary Education invited online applications from eligible candidate for recruitment of 13,421 vacant posts of Assistant Teachers in Government Aided Primary/Government Sponsored Primary/Junior Basic Schools in all districts of the State in accordance with the West Bengal Primary School Teachers Recruitment Rules, 2016.

6. He submits that the concerned application form was available only on the Board's website from 03:00 p.m. on November 19, 2025 till 11:59 p.m. on December 9, 2025.

7. He further submits that the said notification was only published online and in view of the fact that the petitioner resides in a rural village of Purba Medinipur, the petitioner did not come across it while the application window was open and came to know of it only after the last date for submission had expired. Accordingly, the petitioner could not submit his application within

the stipulated period and his client came to know of such notification only on October 27, 2026.

8. Learned advocate appearing for the petitioner relies on a notification dated October 14, 2026 issued by the West Bengal Board of Primary Education and submits that the same will show that the recruitment process is still at the stage of applications and corrections of particulars and itself contemplates counselling and document verification at a later stage.

9. He further submits that the board has reopened the portal to enable applicants to modify their particulars and such portal is open till October 31, 2026.

10. Accordingly, he prays for an order permitting the petitioner to submit his application for recruitment to the post of Assistant Teacher in Primary Schools under the aforesaid notifications by enabling access to the online portal for the petitioner or by accepting his application in physical form.

11. Learned advocate representing the West Bengal Board of Primary Education strongly opposes the contentions and submissions made by the learned advocate appearing for the petitioner.

12. He submits that the petitioner had failed to file his application within the prescribed period of time.

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13. He submits that it is not true that the application form was available only on the Board's website or that intimation for inviting applications was made available only online. He has handed over copies of several newspaper publications which will demonstrate that advertisements were published in newspapers inviting applications from eligible candidates for recruitment of

13,421 vacant posts of Assistant Teachers in Government Aided Primary/Government Sponsored Primary/Junior Basic Schools in all districts of the State in accordance with the West Bengal Primary School Teachers Recruitment Rules, 2016.

14. He further submits that the notification dated October 14, 2026 only permits those candidates who had applied under OBC -A and OBC-B categories in pursuance of the aforesaid notifications dated September 25, 2025 and November 19, 2025 to update/modify their categories.

15. He submits that the notification dated October 14, 2026 does not permit fresh applications. It only permits candidates who have already applied to correct/rectify such applications.

16. He further submits that the writ petitioner cannot be now allowed to file his application.

17. He submits that if such prayer is allowed, it will open a flood gate of applications.

18. He accordingly submits that the writ petition should be dismissed.

19. I have heard the learned advocates for the respective parties and have considered the materials on record. It will be evident from the newspaper cuttings which have been handed over in Court today that the intimation seeking applications for recruitment to the aforesaid 13421 vacant posts was made known to the public at large by newspaper advertisements as well as on the internet. It is not correct on the part of the petitioner to claim that he had no knowledge of the same since the same was allegedly made known on the internet alone.

20. In view of the aforesaid publications in newspapers, the petitioner is deemed to have had knowledge and notice of the fact that applications had been invited by the concerned respondents. The petitioner cannot get any benefit from the fact that he resides in a rural village of Purba Medinipur.

21. The notification dated October 14, 2026 is also very clear. It does not

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permit fresh applications to be made at this juncture. It only permits those candidates who had already applied at the relevant point of time to correct/rectify their applications. The petitioner cannot claim any legal right to file an application at this juncture.

22. The petitioner has not been able to point out any procedural lapse on the part of the respondents in the present case in respect of the subject matter of the present writ petition.

23. The writ petition accordingly stands dismissed.

24. Since no affidavit-in-opposition has been called for, allegations in the writ petition are deemed not to have been admitted by the respondents.

25. There will be no order as to costs.

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

27. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of necessary formalities.

(Rishad Medora, J.)

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