

Form No. J(2)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

Present:

The Hon'ble Justice Saugata Bhattacharyya

W.P.A. 12505 of 2025

Sanjoy Kumar Doloi & Anr.

-vs-

The State of West Bengal & Ors.

With

W.P.A. 12512 of 2025

Arunima Paul & Ors.

-vs-

The State of West Bengal & Ors.

With

W.P.A. 12541 of 2025

Gopal Manna & Ors.

-vs-

The State of West Bengal & Ors.

With

W.P.A. 12643 of 2025

Uttam Majumdar & Ors.

-vs-

The State of West Bengal & Ors.

With

W.P.A. 12713 of 2025

Ujjwal Kumar Majhi & Ors.
-vs-
The State of West Bengal & Ors.

With

W.P.A. 12730 of 2025

Bharat Saren & Ors.
-vs-
The State of West Bengal & Ors.

With

W.P.A. 13160 of 2025

Paban Kumar Mishra & Anr.
-vs-
The State of West Bengal & Ors.

With

W.P.A. 13457 of 2025

Bibek Paria & Ors.
-vs-
The State of West Bengal & Ors.

For the Petitioners in WPA 13457/25: Mr. Anindya Mitra,
Mr. Sounak Ghosh,
Mr. Sakhawat Khandakar,
Ms. Swati Jha
For the Petitioners in WPA 12505/25: Mr. Bikash Ranjan Bhattacharyya,
Mr. Sudipta Dasgupta,
Mr. Bikram Banerjee,
Mr. Sondwip Sutradhar
For the Petitioners in WPA 12512/25
& WPA 12541/25 : Mr. Bikash Ranjan Bhattacharyya,
Mr. Firdous Samim,
Ms. Gopa Biswas,
Ms. Payel Shome,
Mr. Rishabh Ahmad Khan,
Mr. Hasanuz Zaman Molla,
Mr. Moinak Ghosal
Ms. Ankita Dey

For the Petitioners in WPA 13160/25: Mr. Subir Sanyal,
 Mr. Ali Ahsan Alamgir
 Ms. Rabia Khatoon,
 Ms. Soma Mal

For the Petitioners in WPA 12713/25: Mr. Pratik Dhar,
 Mr. Sounak Ghosh,
 Mr. Sakhawat Khandakar,
 Ms. Swati Jha

For the Petitioners in WPA 12730/25: Mr. Shyamal Kumar Mukherjee,
 Mr. Pradip Saren,
 Mr. Soumik Ghosh,
 Ms. Saheli Hembram

For the Petitioners in WPA 12643/25: Mr. Shuvro P. Lahiri,
 Mr. R. Naskar,
 Mr. A. Mondal

For the State in : Mr. Kishore Dutta, Ld. AG
 Mr. Sirsanya Bandopadhyay,
 Mr. Biswabarta Basu Mallick,
 Mr. Supriyo Chattopadhyay,
 Mr. Vivekananda Bose,
 Mr. Debanjan Mandal,
 Mr. Sandip Dasgupta,
 Mr. Debayan Sen,
 Ms. Mahima Cholera,
 Mr. Niket Ojha
 Mr. Akash Dutta,
 Ms. Sayantanee Bhattacharyya,
 Ms. Tapati Samanta,
 Mr. Soumen Chatterjee,
 Mr. K. M. Hossain,
 Ms. Iti Dutta

For the WBCSSC : Mr. Kalyan Kumar Banerjee,
 Mr. Biswaroop Bhattacharya,
 Mr. Rahul Singh

For the WBBSE : Ms. Koyeli Bhattacharyya,
 Mr. Bibek Dutta

Hearing concluded on : 07.07.2025

Judgment on: 07.07.2025

Saugata Bhattacharyya, J.:

- 1) Affidavits-of-service filed on behalf of the petitioners are taken on record.
- 2) All the writ petitions are taken up for consideration since common issue is involved excluding writ petition being WPA 12602 of 2025 (Malati Ghosh & Ors. Vs. State of West Bengal & Ors.).
- 3) Documents filed in support of depositing Court Fees in respect of writ petitions where number of writ petitioner is more than one are taken on record.
- 4) In all the matters it has been argued on behalf of the petitioners that they are untainted candidates of 1st State Level Selection Test, 2016 (for short “1st SLST, 2016”) for Classes IX & X and XI & XII.
- 5) Challenge has been thrown to West Bengal School Service Commission (Selection for Appointment to the Posts of Assistant Teachers for Upper Primary Level of Classes [except Work Education and Physical Education], Classes IX-X and Classes XI-XII) Rules, 2025 (hereinafter referred to as “said Rules of 2025”) and recruitment notification dated 30th May, 2025 issued by the Secretary, West Bengal Central School Service Commission vide memo No. 1092/7016/CSSC/ESTT/2025.

6) Mr. Bikash Ranjan Bhattacharyya, learned senior advocate representing some of the petitioners submits that in terms of the judgment of the Hon'ble Division Bench dated 22nd April, 2024 and the subsequent judgment delivered by the Hon'ble Supreme Court on 3rd April, 2025 read with order passed on 17th April, 2025 on Miscellaneous Application No.709 of 2025 in Civil Appeal No. 4805 of 2025 which was taken out by the West Bengal Board of Secondary Education vacancies earmarked for 1st SLST, 2016 are required to be filled up in terms of previous Recruitment Rules of 2016 which were applied for conducting 1st SLST, 2016 for Classes IX & X and XI & XII.

7) Attention of this Court has been drawn to paragraph 363(xi) of the judgment dated 22nd April, 2024 passed by the Hon'ble Division Bench and according to the petitioners West Bengal Central School Service Commission (for short "WBCSSC") needs to undertake a fresh selection process in respect of declared vacancies of 1st SLST, 2016 for Classes IX & X and XI & XII within a specified time.

8) Reliance is placed on the judgment of the Hon'ble Supreme Court dated 3rd April, 2025 (paragraph 45 onwards) wherein it was observed that the judgment of the Hon'ble Division Bench dated 22nd April, 2024 needs no alteration and it is also contended in consideration of the

observations made in paragraph 49 of the judgment of the Hon'ble Supreme Court dated 3rd April, 2025 that only untainted candidates and differently-abled candidates ought to be permitted to participate in the selection process which has been initiated by issuing recruitment notification dated 30th May, 2025.

9) It is submitted that there is no express bar in the recruitment notification dated 30th May, 2025 for the candidates who were termed as "tainted" by the Hon'ble Supreme Court from participating in the ensuing selection process for which recruitment notification has been issued on 30th May, 2025. In other words, it is also submitted that notification dated 30th May, 2025 also invited tainted candidates to offer their candidature which is in the teeth of observations made by the Hon'ble Supreme Court in the judgment dated 3rd April, 2025 and subsequent order dated 17th April, 2025.

10) Another limb of submission made by Mr. Bhattacharyya is against some of the provisions contained in said Rules of 2025. It is submitted that Recruiting Authority ought not to have altered the provisions relating to fixation of 50% marks instead of 45% which was in earlier recruitment rules in graduation/post graduation level which would enable the candidates to be adjudged as eligible.

According to the petitioners, distribution of marks i.e. 10 for prior teaching experience, 10 for interview and 10 for lecture demonstration ought not to have been provided which would grant the Recruiting Authority and the Interview Board unbridled power to allot marks indiscriminately. It is submitted that without clamping embargo on tainted candidates if candidature of those candidates are appraised on the anvil of the rules relating to allotment of marks as contained in said Rules of 2025 that would lead to a situation where untainted candidates will be allotted marks for past experience for which 10 marks is earmarked. Placing reliance on the order dated 17th April, 2025 of the Hon'ble Supreme Court, it is also submitted that scope is not extended to the tainted candidates to participate in the selection process.

11) Reliance is placed on the judgment of the Hon'ble Supreme Court reported in **(2012) 8 SCC 106 (Ms. Mayawati Vs. Union of India & Ors.)**. According to the petitioners, in paragraph 44 of **Ms. Mayawati** (supra) Court observed that CBI exceeded its jurisdiction in lodging FIR since there was no specific direction made by the Court in particular order. The ratio in **Ms. Mayawati** (supra), according to the petitioners, is applicable in the present case in view of the observations made in the judgment dated 3rd

April, 2025 read with order dated 17th April, 2025 both passed by the Hon'ble Supreme Court where selection process which was required to be conducted, was directed not for tainted candidates but WBCSSC has exceeded its jurisdiction by permitting tainted candidates to offer candidature in terms of recruitment notification dated 30th May, 2025 which is without jurisdiction.

12) Mr. Anindya Mitra, learned senior advocate representing other group of petitioners at the threshold has submitted that prayer (b) of the writ petition being WPA 13457 of 2025 is not pressed wherein declaration is sought for to the extent of declaring said Rules of 2025 and recruitment notification dated 30th May, 2025 *ultra vires*. Placing reliance on paragraph 49 of the judgment dated 3rd April, 2025, it is argued only two categories of candidates were permitted to participate by the Hon'ble Supreme Court which are differently-abled and untainted candidates. It is also submitted that door is closed for tainted candidates as there is no observation which can lead to an inference that tainted candidates were permitted to participate in the selection process in question. It is argued that vacant posts which were earmarked for 1st SLST, 2016 for Classes IX & X and XI XII may not be reduced. Candidates who are not tainted but did not participate in 1st SLST, 2016 should not

be considered against the posts which were earmarked for 1st SLST, 2016 for Classes IX & X and XI and XII as those posts are only to be considered against untainted candidates based on notification dated 30th May, 2025. It is submitted that age relaxation has not been provided in said Rules of 2025 properly and fixed the minimum marks i.e. 50% in graduation/post graduation level which is contrary to the judgment delivered by the Hon'ble Supreme Court dated 3rd April, 2025.

13) Another limb of submission advanced by Mr. Mitra is order passed in violation of the Hon'ble Supreme Court is ultra vires and in this regard reliance is placed on the judgment dated 3rd May, 2010 passed on intra-court appeal being MAT 169 of 2010 (Nilmadhab Das & Ors. Vs. State of West Bengal & Ors.).

14) Mr. Dhar, learned Senior Advocate representing some of the petitioners has restricted his submission to the extent of extending the time beyond 14th July, 2025 fixed for submission of applications in terms of recruitment notification dated 30th May, 2025. It is submitted that order dated 17th April, 2025 of the Hon'ble Supreme Court fixed the cut-off date for issuance of recruitment notification and completion of selection process. Those are 31st May, 2025 and 31st December, 2025 respectively. According to the

petitioners, in the absence of cut-off date fixed for submitting applications there is no impediment in extending the time to submit applications beyond 14th July, 2025 as fixed under notification dated 30th May, 2025. Reliance is placed on paragraph 6 of the judgment of the Hon'ble Supreme Court reported in **(1996) 6 SCC 291 (J.S. Parihar Vs. Ganpat Duggar & Ors.)** to contend that when an order passed by the Government on the basis of the directions issued by the Court there arises a fresh cause of action to seek redressal in an appropriate forum. Therefore, petitioners are eligible in terms of principles of law enunciated by the Hon'ble Supreme Court to approach this Court questioning the steps taken by respondent authorities in terms of judgment dated 3rd April, 2025 read with order dated 17th April, 2025 and petitioners need not approach directly before the Hon'ble Supreme Court.

15) Mr. Sanyal, learned senior advocate representing another batch of petitioners has relied upon order passed by this Court on a batch of writ petitions first one being **WPA 6695 of 2024 (Pampa Dutta Dhar & Ors. Vs. Union of India & Ors.)** dated 13th June, 2025 in order to submit that in **Pampa Dutta Dhar** (supra) this Court extended the time to scrutinize training qualification of the petitioners beyond the time fixed by the Hon'ble Supreme Court. Therefore, in

the present case also petitioners have rightly approached before this Court questioning said Rules of 2025 and subsequent recruitment notification dated 30th April, 2025. It is submitted that it is open to the respondents to approach the Hon'ble Supreme Court for extension of time to complete the steps which are required to be taken to conclude the selection process.

16) On the contrary, Mr. Bandyopadhyay, learned senior advocate representing WBSSC made submissions based on the observations made by the Hon'ble Supreme Court in the judgment dated 3rd April, 2025. In reference to observations made in paragraph 49 of the judgment dated 3rd April, 2025, it is submitted that recruitment notification dated 30th May, 2025 has been issued in consonance with the directions of the Hon'ble Supreme Court and according to Mr. Bandyopadhyay observations made in paragraph 49 reveals a situation where tainted candidates will not get benefit of age relaxation whereas differently-abled and untainted candidates will get same benefit.

17) There is an alternative submission made on behalf of WBCSSC that on interpretation of paragraph 49 of the judgment dated 3th April, 2025 if it is derived that only untainted candidates will get chance, in that event tainted and unsuccessful candidates in 1st SLST, 2016 for classes IX

& X and XI & XII will be excluded from the recruitment process which has been initiated vide recruitment notification dated 30th May, 2025. In reference to the observations made by the Hon'ble Supreme Court in the judgment dated 3rd April, 2025 in paragraphs 45 and 46, it is submitted that since some candidates were found to be tainted based on fraud which amounts to cheating those candidates lost their jobs and they were compelled to refund their salary. After imposition of aforesaid punishment those candidates should not be punished again by debarring them to participate in the selection process initiated vide recruitment notification dated 30th May, 2025. In this regard, reliance is placed on provisions as contained in Articles 20 and 21 of the Constitution of India.

18) Lastly, Mr. Kishore Datta, learned Advocate General representing State respondents submits that this Court may not interpret the order of the Hon'ble Supreme Court and it is not within the domain of this Court to attribute its own interpretation to the observations made by the Hon'ble Supreme Court in the judgment dated 3rd April, 2025 read with order dated 17th April, 2025. Mr. Dutta in different manner has attempted to interpret the observations made by the Hon'ble Supreme Court in paragraph 49 of the judgment dated 3rd April, 2025. It is contended right of participation of

a candidate cannot be taken away permanently if such candidate is found to be tainted after losing job and refunding salary. According to Mr. Datta, if such right of participation is taken away that would lead to a situation where candidates will be punished twice and that will be against the principle of law as provided in part III of the Constitution. It is also submitted that Hon'ble Supreme Court has never barred tainted candidates from participating in the future selection process, therefore, observations made in the judgment dated 3rd April, 2025 needs appropriate interpretation.

19) While considering rival submissions made on behalf of the parties, the issue which needs consideration is whether in the light of the judgment delivered by the Hon'ble Division Bench dated 22nd April, 2024 which merged with the judgment of the Hon'ble Supreme Court dated 3rd April, 2025 read with subsequent order dated 17th April, 2025 passed also by the Hon'ble Supreme Court tainted candidates can participate in the selection process which has been initiated vide recruitment notification dated 30th May, 2025 or not.

20) In order to find answer to this issue, this Court first needs to rely upon the judgment of the Hon'ble Division Bench dated 22nd April, 2024 wherein paragraph 363(xi) it was observed that WBCSSC to undertake a fresh selection

process in respect of the declared vacancies involved in particular selection processes within a particular time. Said judgment dated 22nd April, 2024 travelled before the Hon'ble Supreme Court and while disposing of the appeals judgment dated 3rd April, 2025 was delivered. This Court finds it apt to quote that part of the judgment which comes under the heading "Conclusion":-

"Conclusion"

45. The last question relates to the relief and whether it requires any modification. We find no valid ground or reason to interfere with the direction of the High Court that the services of tainted candidates, where appointed, must be terminated, and they should be required to refund any salaries/payments received. Since their appointments were the result of fraud, this amounts to cheating. Therefore, we see no justification to alter this direction.

46. For candidates not specifically found to be tainted, the entire selection process has been rightly declared null and void due to the egregious violations and illegalities, which violated Articles 14 and 16 of the Constitution. As such, the appointments of these candidates are cancelled. However, candidates who are already employed need not be asked to refund or

restitute any payments made to them. However, their services will be terminated. Furthermore, no candidate can be appointed once the entire examination process and results have been declared void.

47. Some of the appointed candidates who do not fall within the category of tainted candidates may have previously worked in different departments of the State Government or with autonomous bodies, etc. In such cases, although their appointments are cancelled, these candidates will have the right to apply to their previous departments or autonomous bodies to continue in service with those entities. These applications must be processed by the respective government departments or bodies within three months, and the candidates will be allowed to resume their positions. Further, the period between the termination of their previous appointment and their rejoining will not be considered a break in service. Their seniority and other entitlements will be preserved, and they will be eligible for increments. However, for the period they were employed under the disputed appointment, no wages will be paid by the State Government or autonomous bodies. Further, if required and necessary, supernumerary posts may be created for persons appointed in the interregnum.

48. Lastly, we address the case of disabled candidates. Our attention has been drawn to one such case where the impugned judgment held that the appointee, Ms. Soma Das, shall be allowed to continue on humanitarian grounds. While we will not interfere with this finding, we make it clear that other differently abled candidates will not be entitled to the same benefit, as it would contradict legal principles and the rule of law. However, in consideration of their disability, these candidates will be permitted to continue and will receive wages until the fresh selection process and appointments are completed.

49. The disabled candidates mentioned in the previous paragraph will be allowed to participate in the fresh selection process, if required, will age relaxation and other concessions. Similarly, other candidates who are not specifically tainted will also be eligible to participate, with appropriate age relaxation. In our opinion, such a direction would be fair and just, as it would allow these candidates to take part in the fresh selection process, which should now be initiated to fill the vacancies.

50. Our observations and findings would not influence the criminal proceedings.

51. Accordingly, we uphold the impugned judgment cancelling en block/ entire selection process but have made certain modifications in the directions issued by the High Court. The appeals are disposed of in aforesaid terms.

52. We, however, will independently take up the issue raised in the appeals(s) filed by the State of West Bengal with regard to the direction of investigation by the CBI on the decision taken to create supernumerary posts. The Special Leave Petition(s) to this extent will be listed for hearing on 08th April, 2025.

53. All pending applications, including impleadment applications, also stand disposed of. No order as to costs.”

Subsequently West Bengal Board of Secondary Education took out a Miscellaneous Application being Miscellaneous Application No. 709 of 2025 in Civil Appeal No. 4805 of 2025 [West Bengal Board of Secondary Education Vs. Baishakhi Bhattacharyya (Chatterjee)]. This order dated 17th April, 2025 is quoted below:-

“O R D E R

We are inclined to accept the prayer made in the present application insofar as it relates to Assistant

Teachers for Classes IX and X and Classes XI and XII not found to be tainted, subject to the following conditions:-

1. An advertisement for fresh recruitment to the aforesaid post(s) shall be published before 31.05.2025.
2. The examination and the entire recruitment process shall be completed by 31.12.2025.
3. The State Government, applicant/appellant, West Bengal Board of Secondary Education, and the West Bengal Central School Service Commission shall file their respective affidavits by 31.05.2025, enclosing therewith a copy of the advertisement for the fresh recruitment as well as the schedule therefore, so as to ensure completion of the recruitment process by 31.12.2025.
4. In case the advertisement is not published by 31.05.2025 and the affidavits are not filed by that date, appropriate orders will be passed by this Court, including imposition of costs and vacating of the present order.

We clarify that this order shall not be read as conferring any special right or advantage on the aforesaid teachers, insofar as the fresh recruitment process is concerned.

We are not inclined to accept the prayer in the present application insofar as non-teaching posts in Groups C and D are concerned, as the number of appointees

specifically found to be tainted, in the said groups, is substantively high and secondly, what has prompted us to pass this order in respect of Assistant Teachers not found be tainted is that students undergoing study presently should not suffer on account of the lack of teachers and the lapses and failures, which have resulted in the order passed by this Court.

The Miscellaneous Application stands disposed of in the aforesaid terms.”

21) On bare perusal of the concluding part of the judgment dated 3rd April, 2025, it is crystal clear that on finding egregious irregularities offending Articles 14 and 16 of the Constitution of India entire selection process was set at naught resulting in cancellation of engagement of two categories of candidates, one category was termed as “tainted” and another was “untainted”. While dealing with appointment of tainted candidates in paragraph 45 of the judgment dated 3rd April, 2025, it was categorically observed by the Hon’ble Supreme Court that their appointment was result of fraud, which amounts to cheating, based on which judgment of the Hon’ble Division Bench dated 22nd April, 2024 was not interfered with so far as tainted candidates are concerned. At the same time, while dealing with case of

untainted candidates, it was observed in paragraph 46 of the judgment dated 3rd April, 2025 that entire selection process was declared null and void due to irregularities which violated Articles 14 and 16 of the Constitution. Therefore, Hon'ble Supreme Court found it fit to cancel the appointment of untainted candidates too. Untainted candidates were not required to refund their salary which they received after their appointment but such relief was not granted to the tainted candidates. Only common feature in between tainted and untainted candidates which was found by the Hon'ble Supreme Court is appointment of both categories of candidates was required to be declared null and void. Therefore in paragraphs 45 and 46 of the Judgment dated 3rd April, 2025 there is no grey area in differentiating tainted and untainted candidates and same stands fortified if one considers observation made in paragraph 49 of the judgment dated 3rd April, 2025.

22) Though argument has been advanced on behalf of WBCSSC and State respondents that difference made by the Hon'ble Supreme Court in between tainted and untainted candidates is only to the extent of granting or non-granting benefit of age relaxation but on plain reading of the relevant part of the judgment dated 3rd April, 2025 different situation emanates.

23) It appears to this Court that there is substance in the submission made on behalf of the petitioners that by no stretch of imagination on reading paragraphs 45, 46 and 49 of the judgment of the Hon'ble Supreme Court dated 3rd April, 2025, it can be construed that tainted candidates were permitted to participate in the selection process which was required to be initiated in terms of the said judgment without benefit of age relaxation.

24) This Court needs to advert to another issue as it is found from Schedule II of the said Rules of 2025 that ten marks are allotted for prior teaching experience out of total 100 marks. If Court accepts the submissions made on behalf of State respondents as well as WBCSSC that tainted candidates were not barred by the judgment dated 3rd April, 2025 from participating in the selection process in that event while appraising their candidature during interview those tainted candidates would be permitted to be awarded marks against their prior teaching experience which is found to be in teeth of the observations made by the Hon'ble Supreme Court in paragraphs 45 and 49 of the Judgment dated 3rd April, 2025. It was observed in paragraph 45 of the judgment dated 3rd April, 2025 that appointments of tainted candidates were result of fraud which amounts to cheating.

25) This Court has refused to interfere with the challenge thrown to the said Rules of 2025 that enhanced minimum qualifying marks in graduation/ post-graduation level from 45% to 50%, which according to the petitioners, is contrary to the judgment delivered by the Hon'ble Division Bench.

26) It is also contended that vacancies for 1st SLST, 2016 for Classes IX & X and XI & XII are to be earmarked separately and appointments on such vacancies are to be confined to the untainted candidates who participated in the previous selection process that is 1st SLST, 2016 for Classes IX & X and XI & XII.

27) Based on observations made by the Hon'ble Division Bench in the judgment dated 22nd April, 2024 it is further contended on behalf of the petitioners that previous recruitment rules is required to be pressed into service while accommodating untainted candidates against the posts earmarked for 2016 selection process.

28) On reading of the judgment of the Hon'ble Division Bench dated 22nd April, 2024 which merged with the judgment of the Hon'ble Supreme Court dated 3rd April, 2025, it does not appear that recruiting authority cannot enhance the number of vacancies meant for 1st SLST, 2016 for Classes IX & X and XI & XII by clubbing subsequent vacancies. What is required is inclusion of vacancies which

were meant for 1st SLST, 2016 for Classes IX & X and XI & XII. Similarly, nowhere any embargo has been imposed thereby preventing State authorities including WBCSSC from framing separate rules for filling up those vacancies.

29) Fixation of minimum marks in a selection process which in the present case has been fixed as 50% instead of 45% which was prevalent in graduation and post graduation level is policy decision of the recruiting authority which ought not to be interfered with.

30) In view of aforesaid discussion, respondent authorities including WBCSSC are directed to proceed with the selection process which started vide recruitment notification dated 30th May, 2025 but in the said selection process tainted candidates shall not be permitted to participate. If any tainted candidate has submitted application in order to offer his or her candidature pursuant to said recruitment notification dated 30th May, 2025 same stands cancelled.

31) It is also directed that time schedule which was fixed by the Hon'ble Supreme Court vide order dated 17th April, 2025 passed on Miscellaneous Application No. 709 of 2025 shall be strictly adhered to by the respondent authorities to bring the selection process into logical conclusion.

32) All the writ petitions stand disposed of.

33) Urgent photostat certified copy of this judgment, if applied for, be given to the parties on usual undertakings.

(Saugata Bhattacharyya, J.)

Later

1. After order is dictated on behalf of WBCSCC prayer is made for stay of operation of this order to the extent of debarring tainted candidates from participating in the selection process based on notification dated 30th May, 2025. Such prayer is considered and refused.
2. To the extent of not entertaining the prayer of the petitioners whereby case has been made out against certain provisions of said Rules of 2025 relating to fixation of minimum marks in graduation /post graduation level to adjudge eligible candidates to participate in the selection process and changing pattern of allotment of marks, prayer is made for stay of operation of same. Such prayer is also considered and refused.

(Saugata Bhattacharyya, J.)