

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION NO. 709 of 2025

IN

CIVIL APPEAL NO. 4805 OF 2025

**WEST BENGAL BOARD OF SECONDARY
EDUCATION**

.....

**APPLICANT(S)/
APPELLANT(S)**

VERSUS

**BAISHAKHI BHATTACHARYYA (CHATTERJEE)
& ORS.**

.....

**NON-APPLICANT(S)/
RESPONDENT(S)**

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, the 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 therefor, 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 to 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.

.....CJI
(SANJIV KHANNA)

.....J.
(SANJAY KUMAR)

NEW DELHI;
APRIL 17, 2025.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

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VERSUS

BAISHAKHI BHATTACHARYYA (CHATTERJEE)
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NON-APPLICANT(S)/
RESPONDENT(S)

(IA No. 88901/2025 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 17-04-2025 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KUMAR

For APPLICANT(S)/
APPELLANT(S) :

Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Sanjay Hegde, Sr. Adv.
Mr. Sanjoy Ghose, Sr. Adv.
Mr. Vikram Hegde, Adv.
Ms. Koyeli Bhattacharya, Adv.
Ms. Hima Lawrence, AOR
Ms. Chinmayi Shrivastava, Adv.
Mr. Ashutosh Yadav, Adv.
Mr. Toshiv Goyal, Adv.
Mr. Ritwik Mahapatra, Adv.
Mr. Varun Tyagi, Adv.
Mr. Ankit Tiwari, Adv.
Mr. Rohan Mandal, Adv.

For NON-APPLICANT(S)/
RESPONDENT(S) :

Mr. P.S. Patwalia, Sr. Adv.
Mr. Partha Sil, Adv./AOR
Mr. Srijit Datta, Adv.

Mr. Kapil Sibal, Sr. Adv.
Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Debanjan Mandal, Adv.
Mr. Kunal Vajani, Adv.

Mr. Kunal Mimani, Adv.
Mr. Kartikey Bhatt, Adv.
Ms. Mahima Cholera, Adv.
Mr. Tanish Arora, Adv.

Mr. Jaideep Gupta, Sr. Adv.
Mr. Kunal Chatterji, Adv./AOR
Ms. Maitrayee Banerjee, Adv.
Mr. Rohit Bansal, Adv.
Mr. Varij Mishra, Adv.

Ms. Meenakshi Arora, Sr. Adv.
Mr. Joydeep Mazumdar, Adv.
Mr. C. Chaube, Adv.
Mr. P. Sil, Adv.

Mr. Amit Pawan, Adv./AOR

Mr. Bikash Ranjan Bhattacharyya, Sr. Adv.
Mr. Rauf Rahim, Sr. Adv.
Mr. Bikram Banerjee, Adv.
Mr. Firdous Samim, Adv.
Ms. Gopa Biswas, Adv.
Mr. Ali Asgar Rahim, Adv.
Mr. Shekhar Kumar, Adv./AOR

Ms. Karuna Nundy, Sr. Adv. **

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

The Miscellaneous Application is disposed of in terms of the
signed order.

(DEEPAK GUGLANI)
AR-CUM-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

** No online appearance/physical appearance slip received.