

**(1994) 03 CAL CK 0029**  
**In the Calcutta High Court**

Midnapore Zilla Nimna Buniyadi Shikshak Shikshan Prapta  
Bekar Sikshak Samity and Others

APPELLANT

Vs

State of West Bengal and Others

RESPONDENT

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**Date of Decision :** 30-03-1994

**Acts Referred:**

**Citation :** 98 CWN 793

**Hon'ble Judges :** U.C. Banerjee, J;Siba Prasad Rajkhowa, J

**Bench :** Division Bench

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### Judgement

Siba Prasad Rajkhowa, J.—It is now a well settled principle of law that the Law Courts in the normal circumstances are not to intervene and interfere with the selection process of candidates at the school or college level or in any other interview for appointment including the appointment of teachers since the Selection Committee or the Board constituted for such selection are to assess the capability of the candidates and Law Courts cannot add to or supplement to the individual assessment of the members of the Selection Committee. In this context reference may be made to a decision of this Court in the case of University Of Calcutta and Others Vs. Dr. (Mrs.) Mamata Datta and Others, as also that of Supreme Court in the case of State Bank of India and others Vs. Mohd. Mynuddin, But this general principle of law has certain exceptions and cannot, however, be said to be of universal application and interference of the Law Courts can be sought for in the event the factual matrix of the matter in issue depicts that the concept of fairness has been given a complete go-by and there are in fact, gross anomalies, irregularities and certain amount of dubious methods being adopted in the preparation of the panel and in the event, the Law Court finds in the factual context, existence of such an unfair attitude on the part of the administration there ought not to be any hesitation to strike down such action or the panel and to do so would be a plain exercise of judicial power. Arbitrariness and motivated actions are opposed to the concept of fairness which ought to be the most accepted methodology of governmental work and the action must be fair and reasonable. Having dealt with the basic principles of law,

let us now advert briefly to the factual aspect of the matter. Two writ applications were filed on behalf of the applicants seeking appointment as Assistant Teachers in different Primary School Boards and District Primary School Councils.

2. The principal grievance being in the writ petition that the trained candidates having requisite qualifications were being ignored where as untrained candidates were being impaneled and being appointed in different Primary Schools in the State in contravention of Rules framed by the State Government. The learned trial Judge held that the appointment of untrained candidates as Assistant teachers in different Primary Schools was unauthorised and illegal and on that finding a direction was given to the respondent not to give appointment to any untrained candidates and to appoint only the trained candidates in the recognised Primary Schools in the different districts of the State against the existing vacancies.

3. As against the above noted finding of the learned trial Judge the District School Board, Midnapore, had preferred an appeal before the Division Bench of the Court and the learned Chief justice N.P. Singh (as He then was) speaking on behalf of the Bench observed :

In view of the aforesaid statutory Rule 3E, the life of a panel has been fixed for a period of twelve months from the date of its preparation. The State Government may extend the period of such panel by a period not exceeding six months. There is no dispute that the period of twelve months expired long ago. It was stated at the bar that there is no order of the State Government extending the period of the panels. As such the panels prepared in different districts between the year 1983 and 1985 have lost their existence and no direction was given to make appointments on the basis of those panels after making necessary scrutiny and examination in the light of the direction given by the learned Judge. Accordingly, taking all the facts and circumstances into consideration, I direct the different District School Boards and the concerned authorities to take immediate steps for preparation of fresh panels in accordance with law and in terms of the Rules referred to above. I further direct that all appointments against the additional posts sanctioned by the State Government from time to time due to enhancement in the roll strength in the existing schools in different districts be filled up by the trained candidates only. So far as the normal vacancies existing in the Schools are concerned, at least 50% must be filled up by trained candidates only. In respect of remaining 50% of such vacancies, untrained candidates should be considered along with trained candidates on some rational and reasonable principle..... In my view, it is not possible for this Court to declare the appointments of untrained candidates who have already been appointed out of the panels of 1983-85, as invalid without affording an opportunity to them, of being heard. Accordingly, the direction of the learned trial Judge is modified to that extent.

The appeals F.M.A.T. Nos. 329/90, 3493/90, 606/90, 607/90, 829/90 filed on behalf of different District School Boards/District Primary School Councils and

F.M.A.T. No. 906/90 filed on behalf of some of the untrained teachers are allowed to the extent that the authorities connected with the appointment of Assistant Teachers in different Primary Schools recognised and maintained by the District School Boards/District Primary School Councils are directed to take immediate steps for preparation of fresh panels for the appointment against the different vacant posts in such Primary Schools in accordance with the statutory Rules. The panels should be prepared within six months from this date and thereafter the appointments be made in accordance with law. I further direct that no appointment shall be made against any of the vacancies from the panels prepared between the years 1983-85.

4. The writ petitioners felt aggrieved by the judgment of the Division Bench as aforesaid and moved Special Leave Petitions before the Hon"ble Supreme Court. The Supreme Court disposed of the SLPs on 27th April, 1992, observing as follows :

If there are any panels drawn which are inconsistent with the directions dated 10.5.91 of the Division Bench of the High Court and if any appointments are made from such inconsistent panels, it will be open for the petitioners to challenge the same before the High Court. Mr. H.N. Salve, the learned Senior Counsel for the petitioners states that in view of the statement made in paragraph 4 of the affidavit dated 21.1.92 filed in LA. Nos. 6 - 10 of 1991 in SLP Nos. 15573-77/91, the applicants do not press the applications. It will be open for the respondents herein or others to contest the application if filed by the petitioners before the High Court. I.A. s are disposed of accordingly.

5. If further appears from the records that by reason of non-completion of the panel within the time specified in terms of the judgment of the Division Bench of this Court, an application was made before this Bench for extension of time and this Court upon consideration of the facts did grant an extension of time. Subsequently, however, certain writ petitions were moved before a learned Single Judge of this Court and the learned Single Judge, however, thought it fit to pass an order of staying the appointments against which this present appeal was preferred by the Midnapore District School Board. With very great respect to the learned Judge, however, this Court has not been able to appreciate the exercise of jurisdiction of the learned single Judge in the matter in issue when in particular the Division Bench has already dealt with the matter. this Court should have thought that the propriety demanded that the matter should be referred to the Division Bench since the Division Bench has already dealt with the matter and passed an order in regard thereto. this Court in the appeal preferred by the Midnapore District School Council and the Board passed an order of stay of operation of the order of the learned trial Judge but unfortunately inspite of the fact that the same was brought to the notice of the learnerd trial judge several other writ petitions concerning the self same subject matter were filed before the learned trial Judge and the learned trial Judge also passed various orders rendering thereby the order of the Division Bench to be infractuors. Be that as it

may, in every such matter appeals were preferred and this Court has no other option but to grant orders of stay. During the hearing of one of those matters this Court for the purpose of dealing with the matter in extensor and since the matter is of grave importance to the interest of Primary Education in the State in general and in particular to the fate of thousands of unemployed youths who were waiting for an appointment to eke out some descent living, this Bench directed hearing of all the appeals as also the main writ petitions so that the matter can be finally adjudicated by this Bench and it is pursuant to that leave several writ petitions were filed before this Court for being dealt with analogously by this Bench.

6. During the course of hearing, however, strenuous submissions have been made on behalf of the writ petitioners about the utter irregularity in the matter of preparation of the panel. It was submitted that the observations of the Division Bench have been totally given a go bye and unworthy persons were placed at the top whereas genuine and worthy persons were left at large. The situation, however, came to a passe where, in fact, one Mr. Khanna filed an affidavit stating therein that though he is a member of Selection Committee raised certain eye-brows as regards the efficacy and the fairness of the panel prepared by the concerned School Board but by reason of the enormity of the records and by reason of the fact that this Court cannot possibly go into the matter with such details this Court appointed two learned Advocates of this Court who are otherwise experienced enough in these matters to give an illustrative inspection report to this Court upon verification of the original records for two districts of West Bengal only vis., Midnapore District and Howrah District. Be it clarified that this Court was not going into the question of assessment as such, but this inspection by the joint Special Officers was being directed only for the purpose of having an idea as to whether formalities have been complied with or not in accordance with law.

7. In terms of the order of appointment both Joint Special Officers had, in fact, undertaken the inspection of the evaluation sheet and other relevant records of the District School Council of Midnapore and Howrah and the Special Officers did submit their report on 10th January, 1994. The report of the Special Officers, however, depict a rather dismal picture which cannot by any stretch be said to be in accordance with law or in terms of the order of this Court as noted above. For convenience sake, however, the relevant extracts of the report are set out hereinbelow :

#### 1. Ghatal Employment Exchange

Sl. Nos. 1191-1390

Remarks : Interview and/or selection of the candidates was made by one member only instead of three members.

#### 2. Haldia Employment Exchange

Sl. Nos. Not given.

Remarks : Marks were calculated on the basis of the marks awarded by one member only instead of three members.

### 3. Ghatal Employment Exchange

Sl. Nos. 661-860

Remarks : Evaluation sheet of one member of the selection committee was treated as cancelled as it did not bear his signature. Another member of the selection committee awarded marks to Sl. Nos. 661-781 but surprisingly he did not award any marks to Sl. Nos. 782-860 and left the columns blank but duly put his signature on the blank pages. Accordingly, the average marks were calculated on the basis of the marks awarded by two members in respect of Sl. Nos. 661-781 and average marks were calculated on the basis of marks awarded by one member in respect of Sl. Nos. 782-860 instead of three members.

### 4. Ghatal Employment Exchange

Sl. Nos. 881-990

Remarks : Evaluation sheet of Alok Banerjee was treated as cancelled, as no marks were awarded by the said member to Sl. Nos. 861-885, in oral interview and general impression, trained, literacy, etc., though in other pages marks were awarded by him to other candidates namely Sl. Nos. 886-990.

### 5. Name of the Employment Exchange is not given. Sl. Nos. 39230-39407

Remark : Several trained candidates (Junior Basic Trained/Senior Basic Trained) who secured 1st Division in Academic Qualification (MP/SF/HS) were awarded zero mark and one mark under the head - "General impression, training, literacy, co-curricula activities, etc." out of 10 marks.

### 6. Beldana Employment Exchange

Sl. Nos. Not mentioned.

Remark: As in five above. And it was further detected that several untrained candidates who passed MP/SF/HS in 3rd Divan, were shown undue favour by awarding higher marks.

### 7. Midnapore Employment Exchange

Sl. Nos. 27933-28073

Remarks : In most of the cases hand-writing and ink differs in respect of marks awarded by the members of the selection committee. The selection of the candidates was made Districtwise, but the panel was not prepared on the basis of the marks secured by the candidates on priority basis inasmuch as it appeared that candidates who secured 47 or 48 marks were placed much below the candidates who secured lesser marks like 36-40.

8. Summing up the inspection report, the Joint Special Officers have submitted that better candidates and/or candidates having better academic qualifications were not included in the panel for appointment of teachers in these schools.

9. After inspection and scrutiny of the evaluation sheets relating to candidates of several circles of the District i.e. Shyampur (North), Shyampur (South), Banging (North). Begun (South), Bagnun (East) Domjur, Udaynarayanpur, Panchala and Bally, the Special Officers have detected the following irregularities :

Shyampur (North) Circle.

Sl. No. 7, Tarun Kumar Mondal and Sl. no. 162, Rathin Kumar Chowdhury, have been awarded 30 marks each by Gour Hari Adak whereas the four other members of the selection committee have marked them absent.

Sl. No. 169, Rishi Kanta Mondal and Sl. No. 224, Amalendu Maity appeared to have been present before four members of the selection committed who have awarded marks in their favour whereas they have been marked absent by Gour Hari Adak.

Sl. No. 91, Asit Kumar Ghosh was initially marked as absent by four members but awarded marks by one member, i.e. Monoranjana Manna. Subsequently marks have been awarded by two other members striking out the word "absent", i.e. by Barindra Nath Kiley and Jagannath Paruk. Such changes have been made without any initial against them in the evaluation sheets. The said candidate Ashish Kumar Ghosh finds a place in the panel.

As regards Sl. No. 27, Sri Hare Krishna Bera, on member, i.e. Monoranjana Manna gives the remarks "over-writing in the marks". However, the Register maintained by the Council of the sponsored candidates for different circles, page 13 of the said register corresponding to the candidate in question shows "No mark-sheet of the candidate". In spite of the above fact, the said candidate Hari Krishna Bera appears to have been impaneled.

Bagnum (East) Circle.

Sl. No. 1, Kartick Marick was awarded no marks in none of the columns by Smt. Sefali Basu (Sarkar). However, in the final score sheet/compilation sheet, it appears that 30 marks have been awarded by Smt. Sefali Basu (Sarkar) and the average marks have been calculated by adding up the marks awarded by all the members including 30 marks awarded by Smt. Sefali Basu (Sarkar).

Sl. No. 3, Rathindra Nath Panja was awarded 25 marks by Smt. Sefali Basu (Sarkar) but in the final score sheet/compilation sheet it is not reflected.

10. As regards the procedure adopted by the Council in preparing separate panels, for each circle and selection of candidates on circle basis and not preparing one panel for the entire District, the Special Officers have observed that this procedure was not proper and it caused serious prejudice to the candidates and that serious injustice has been meted out to several meritorious

candidates, who, in spite of having secured high marks in the process of selection, have been deprived of appointment inasmuch as due to preparation of panel on circle basis and filling up of vacancies/appointments in these circles from the corresponding panels prepared on circle basis, several less meritorious candidates who secured less marks in the process of selection have been favoured with appointment. Such instances are a plenty and the following are some of the instances :

"The candidates (trained) who have been given appointment last in order of merit in the circles of Shyampur (North) and Domjur till date obtained 39.4 and 39 marks respectively whereas in the circles of Shyampur (South), Begun (North), Panchla, Udaynarayanpur and Bally, the candidates (trained) who have been given appointment last in order of merit obtained 42.2, 44, 44.72, 42 and 42 marks respectively. So far as Shyampur (South) is concerned, 27 trained candidates, i.e. Sl. Nos. 41 to 68 of the panel obtaining between 42.2 and 39.6 marks and obtaining more marks than the last appointed candidates of Shyampur (North) and Domjur circles (marks indicated above) stand deprived of appointment because of appointment on circle basis. On the same grounds, 31 trained candidates of Bagnan (North) circle i.e. Sl. Nos. 14 to 45 of the panel obtaining between 44 and 39.5 marks; 7 trained candidates of Udaynarayanpur Circle i.e. Sl. nos. 23 to 30 of the panel obtaining between 42 and 39 marks; 29 trained and untrained candidates of Panchla Circle i.e. Sl. Nos. 21 to 50 of the panel obtaining between 44.6 and 39.4 marks and 2 trained candidates of Bally circle i.e. Sl. nos. 32 and 33 of the panel obtaining 42 marks were deprived of appointment".

11. The Special Officers further stated in their report the following :-

The worst sufferer of this practice of preparation of panel on circle basis and appointment therefrom to the respective circle appears to be one Sri Anil Baran Maity of Jagacha circle, bearing Roll No. 420, a physically handicapped and trained candidate who secured 44 marks as appears from the records. Not a single trained physically handicapped candidate has been appointed in any of the 25 circles of the District as appears from Annexure "C" to this report-and in view of such fact one cannot but help observing that perhaps qualifications in training, so far as the physically handicapped candidates are concerned, have been treated as a disqualifying factor for appointment. The only explanation forwarded by the Chairman in support of not appointing the said Anil Baran Maity is that there is no vacancy for physically handicapped candidates in Jagacha Circle.

12. The omission to give appointment to the said Anil Baran Maity becomes all the more glaring when one notices the partial attitude of the members of the Selection Committee who interviewed the candidates of Udaynarayanpur Circle to give appointment to one Sri Naba Kumar Maji, by any means. It appears from the panel of physically handicapped candidates of Udaynarayanpur Circle that the said Naba Kumar Maji has been placed at the top of the panel as Sl. No. 1. The said Naba Kumar Maji, an untrained candidate, appears to have obtained 32

marks. In the selfsame panel, Sl. No. 5 Smt. Anjali Bandopadhyay and Sl. no. 6 Sri Swapan Bose, both physically handicapped and trained candidates appear to have obtained 35 and 37 marks respectively. No explanation whatsoever could be forwarded by the Chairman as to why the said Swapan Bose and Anjali Bandopadhyay were not placed at the top of the panel as Sl. Nos. 1 and 2 respectively in view of the marks obtained by them and as to why the said Naba Kumar Maji, in spite of obtaining lesser marks than the said Swapan Bose and Anjali Bandopadhyay was placed as Sl. No. 1 in the panel.

The above serious discrepancy tempted us to peruse the evaluation sheets of the said Naba Kumar Maji, Swapan Bose and Anjali Bandopadhyay in depth and upon perusal of the individual evaluation sheets of the said three candidates, it was found that the said Naba Kumar Maji was awarded full marks i.e. 10 in oral test by all the members of the Selection Committee whereas both the said Swapan Bose and the said Anjali Bandopadhyay were awarded 0 (zero) mark by all the members of the Selection Committee in the oral test."

"Even after getting 0 (zero) mark in the oral test, the said Swapan Bose and Anjali Bandopadhyay have obtained 37 and 35 marks respectively and on the contrary, even after getting full 10 marks in the oral test, the said Naba Kumar Maji could manage only 32 marks. This instance was the only one in which we found that the names of candidates have not been arranged in the panel in descending order of marks obtained by them. The said Naba Kumar Maji could never have secured 1st position in the panel having regard to the marks obtained by him. But the fact remains, by virtue of securing 1st position in the panel, the said Naba Kumar Maji has already got appointment in preference to the claims of both Swapan Bose and Anjali Bandopadhyaya who in spite of obtaining more marks than the said Naba Kumar Maji stand deprived of appointment.

13. As a matter of fact, we have also checked the panels of the selected candidates prepared by Midnapore and Howrah District Councils. As regards the panel of Scheduled Tribes candidates by the Midnapore District Council, we are surprised to find that some of the candidates whose academic qualification is only reading upto Class VIII have been selected for appointment. They are Sl. Nos. 3, 10, 17, 53, 55, 62, 67, 73, 97, 98, 99, 107, 113 and 148. Two selected candidates are Madhyamik plucked. They are Sl. Nos. 64 and 65. We do not think that candidates with better academic qualifications were not available.

14. The narration as above, though longish in nature, but cannot be avoided by reason of the strenuous submissions made from the Bar by various parties appearing in the matter, the report of the Special Officers in no unmistakable fashion depict that there are gross irregularities in regard to the preparation of panel so far as Midnapore District is concerned. The panel for Howrah District cannot, however, be ascribed to be that irregular, though certain instances have been brought to light, but those irregularities in our view, cannot constitute a major problem for the purposes of giving effect to the panel and as such, we direct the Director of School Education (Primary) to consider the observations of

the Special Officers so far as the District of Howrah is concerned and proceed to grant approval upon proper verification of the anomalies as pointed out by the Special Officers. Be it recorded here that we are not trying to assess the suitability of the candidates, but the irregularities cannot be obliterated. We have been given to understand during the course of hearing that the Director of School Education (Primary) has already given his approval in regard to the panel, but in our view, the matter ought to be examined further in the light of the report of the Special Officers and the Director of School Education (Primary) has already given his approval in regard to the panel, but in our view, the matter ought to be examined further in the light of the report of the Special Officers and the Director of School Education (Primary) should recast the panel, if necessary, upon removal of the anomalies, if there be any, and if the Director considers the same to be an anomaly at all.

15. As regards District Midnapore, it has been submitted that the Director, School Education (Primary) has already granted his approval in the matter and as such, question of reopening the same does not and cannot arise. We are, however, not inclined to accept this contention as advanced by Mr. Bnuiya appealing for the Midnapore School Council. this Court cannot lend a deaf ear and a blind eye to the irregularities as noted in the report of the Special Officers. The approval, if any, cannot thus be sustained and the same, therefore, is set aside and cancelled. The Director of School Education (Primary) is directed to consider the matter afresh and it is hereby ordered accordingly. This re-consideration of the matter by the Director shall be effected having due regard to the report of the Special Officers and in the event the Director is of the view that the report of the Special Officers and the instances mentioned therein require further consideration, he would do so and recast the panel accordingly. This order is passed upon consideration of the fact that this Court ought not to usurp the power of the Director in the matter of grant of approval. The Director is to act strictly in accordance with law having due regard to the provisions of law and the Judgement of this Court in the earlier matter as noted above.

16. As regards the other Districts, we do not have any basic material before us so as to declare, the selection process as irregular, but considering the experiences of the two Districts, we direct that the Director of School Education (Primary) should also re-consider the matter in regard to the grant of approval to the panel prepared by the Council and pass orders in accordance with law having due regard to the judgement of this Court as noted above.

17. The entire process, however, should be completed within a period of four months from the date hereof. It is clarified, however, that persons who have already been favoured with the letter of appointment shall continue to remain in employment until after the matter is considered by the Director in terms of this order. If the panel is recast by the Director, the new members of the panel should be given appointment and the person already in employment be kept in waiting until after further vacancies and their cases be considered along with others.

18. Before we conclude, however, judicial ethics prompt us to record that Shri Ajit Kumar Khanra, though filed an affidavit as noted above, but at a subsequent point of time wanted to retract from the proceeding, but this Court thought it fit and considering the interest of the primary teachers in the State so as to subserve the ends of justice in the matter in issue, did not permit him to retract and instead allowed him to make his submissions in the matter which, however, culminated in the appointment of the Special Officers.

19. The appeal stands disposed of as above. The order of the learned Trial Judge is modified to the extent indicated above. There will be no order as to costs.

20. This judgment, however, shall govern the following cases : F.M.A.T. 329 of 90 with F.M.A.T. 3244 with F.M.A.T. 1651 Of 92 (Chairman, Ad-hoc Committee vs. Paschimbanga Prathamik Sikshak S.P.B.O.B. Samity), F.M.A.T. 3060 of 93 (President, West Bengal Board of Primary Education vs. Paschim Banga Prathamik Sikshak Sikshan Prapta Baker Sikshak Samity), Sunit Kumar Maity & Ors. vs. The Chairman, Ad-Hoc Committee, Dilip Kr. Chatterjee & Ors. vs. The Chairman, Ad-hoc Committee, Sagar Hari Pal & Ors. vs. The Chairman, Ad-hoc Committee, Md. Billal & Ors. vs. The Chairman, Ad-hoc Committee, Subhas Kr. Mondal & Ors. vs. The Chairman, Ad-hoc Committee, Ram Kamal Debnath & Ors. vs. The Chairman, Ad-hoc Committee, Ram Ch Barman & Ors. vs. The Chairman, Ad-hoc Committee, Subhas Ch. Majhi & Ors. vs. The Chairman, Ad-hoc Committee, Jitendra Nath Biswas & Ors. vs. The Chairman, Ad-hoc Committee, Sajani Kanta Naskar & Ors. vs. The Chairman, Ad-hoc Committee, Gour Hari Sen & Ors. vs. The Chairman, Ad-hoc Committee, Ajit Kr. Panda & Ors. vs. The Chairman, Ad-hoc Committee, Swapan Kr. Saha & Ors. vs. The Chairman, Ad-hoc Committee, Syed Azizul Ali A Ors. vs. The Chairman, Ad-hoc Committee. Pradip Biswas & Ors. vs. The Chairman, Ad-hoc Committee, (C.O.No. 14616(W) of 1993. C.O. 15064(W) of 1993 (Buddhadeb Banerjee Thakurta C.O. 15604(W) of 1993 (Buddhadeb Banerjee Thakurta & Ors. vs. The Chairman, Ad hoc Committee, C.O. 14699(W) of 1993 (Sankar Kr. Biswas & Ors. vs. The Chairman, Ad hoc Committee, C.O. 15062(W) of 1993 (Arun Kr. Dutta vs. The Chairman, Ad-hoc Committee). C.O. 15060(W) of 93 (Bivekananda mondal vs. The Chairman Ad-hoc Committee) C.O 14615(W) of 93 (Babita Mondal vs. The Chairman, Adhoc Committee, C.O. 15063(W) of 93 (Gita Mondal & Anr. vs. The Chairman. Ad-hoc Committee), with Asit Majumdar & Ors. vs. The Chairman, Ad-hoc Committee, Baisakhi Pal & Ors. vs. The Chairman, Ad-hoc Committee, CO. 15061(W) of 93 (Shyamal Kr. Roy & Ors. vs. The Chairman, Ad-hoc Committee), Nayan Kr. Jana vs. The Chairman, Adhoc Committee. Priyabrata Sarkar vs. The Chairman, Adhoc Committee, CO. 13676(W) of 92 (Debabrata Pal & Ors. vs. The Chairman. Adhoc Committee, CO. 18105(W) of 93 (Sadhan Ch, Ghosh vs. State of West Bengal), CO. 6180(W) of 92 (Kartick Ch. Pal vs. State of West Bengal), Chandradeb Basu vs. The Chairman, Adhoc Committee, Sk. Asraf Ali & Ors. vs. The Chairman, Aadhoc Committee, Sk. Ibrahim & Ors. vs. The Chairman, Adhoc Committee, Abani Kr. Sana & Ors. vs. The Chairman, Adhoc Committee, Kamala Kanta Mondal vs. The Chairman, Adhoc Committee, Basudeb Ghosh vs. The

Chairman, Adhoc Committee, Tapan Kr. Basu vs. The Chairman, Adhoc Committee, Sudev Karmakar vs. The Chairman, Adhoc Committee, Pradip Kr. Das & Ors. vs. The Chairman, Adhoc Committee. Gouri Sankar Mahata & Ors. vs. The Chairman, Ad-hoc Committee, Bimalendu. Mondal & Ors. vs. The Chairman, Adhoc Committee, Sudhir Kr. Ghosh & Ors. vs. The Chairman, Adhoc Committee, Lily Dutta & Ors. vs. The Chairman, Adhoc Committee, Md. Peskar Ali & Ors. vs. The Chairman, Adhoc Committee, Surja Kamal Banik & Ors. vs. The Chairman, Adhoc Committee, Arun Bandhu Poddar & Ors. vs. The Chairman, Adhoc Committee, Saidul Islam & Ors. vs. The Chairman, Adhoc Committee, Abu Siddique Mondal vs. The Chairman, Adhoc Committee, Shaktipada Sen & Ors. vs. The Chairman, Adhoc Committee, Rupchand Parui & Ors. vs. The Chairman, Adhoc Committee, Ashutosh Paria & Ors. vs. The President, Adhoc Committee and Sk. Abdul Ali & Ors. vs. The Chairman, Adhoc Committee.

21. Prayer for stay made by Mr. Bhuiya, but is refused. Ali interim orders stand vacated.

22. Let xerox copies of the panels and the tabulation sheets produced by the Special Officers be kept in the records of this Court. The Special Officers are directed to make available a copy of their report to the Director of School Education (Primary) with utmost expedition, preferably in course of this day.

23. Let the records be kept in the safe custody of the Registrar, Original Side, High Court, Calcutta.

24. Certified copy of the judgment be made available with utmost expedition, if and when applied for.

U.C. Banerjee, J.

I agree.