

ITEM NO.19

COURT NO.11

SECTION XVI

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

SPECIAL LEAVE PETITION (CIVIL) Diary No. 46049/2025

[Arising out of impugned final judgment and order dated 16-07-2025 in MAT No. 1026/2025 and 18-07-2025 in MAT No. 1055/2025 passed by the High Court at Calcutta]

BIBEK PARIA & ORS.

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL & ORS. ETC.

Respondent(s)

(IA No. 212640/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 212354/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 202956/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 214990/2025 - INTERVENTION APPLICATION, IA No. 217568/2025 - INTERVENTION/IMPLEADMENT, IA No. 216920/2025 - INTERVENTION/IMPLEADMENT, IA No. 236729/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 202958/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 217378/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION AND IA No. 202955/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

WITH

Diary No(s). 29509/2025 (XVI)

IA No. 136183/2025 - CLARIFICATION/DIRECTION

Diary No(s). 29521/2025 (XVI)

IA No. 136187/2025 - CLARIFICATION/DIRECTION

Diary No(s). 29529/2025 (XVI)

IA No. 277750/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Diary No(s). 29536/2025 (XVI)

IA No. 136193/2025 - CLARIFICATION/DIRECTION

IA No. 277099/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Diary No(s). 29547/2025 (XVI)

IA No. 137382/2025 - CLARIFICATION/DIRECTION

IA No. 276115/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Diary No(s). 29557/2025 (XVI)

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IA No. 137686/2025 - CLARIFICATION/DIRECTION
IA No. 277102/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Diary No(s). 29568/2025 (XVI)
IA No. 136136/2025 - CLARIFICATION/DIRECTION
IA No. 276116/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Diary No(s). 29576/2025 (XVI)
IA No. 137421/2025 - CLARIFICATION/DIRECTION

Diary No(s). 34860/2025 (XVI)
IA No. 151286/2025 - CLARIFICATION/DIRECTION

Diary No(s). 34869/2025 (XVI)
IA No. 151645/2025 - MODIFICATION

Diary No(s). 34870/2025 (XVI)
IA No. 151397/2025 - MODIFICATION

Diary No(s). 34873/2025 (XVI)
IA No. 151407/2025 - MODIFICATION

Diary No(s). 34875/2025 (XVI)
IA No. 151754/2025 - MODIFICATION

Diary No(s). 34876/2025 (XVI)
IA No. 151677/2025 - MODIFICATION

Diary No(s). 34878/2025 (XVI)
IA No. 151726/2025 - CLARIFICATION/DIRECTION

Diary No(s). 34880/2025 (XVI)
IA No. 151416/2025 - MODIFICATION

Diary No(s). 34881/2025 (XVI)
IA No. 151720/2025 - CLARIFICATION/DIRECTION

Diary No(s). 34882/2025 (XVI)
IA No. 151787/2025 - MODIFICATION

Diary No(s). 34884/2025 (XVI)
IA No. 151682/2025 - MODIFICATION

Diary No(s). 34885/2025 (XVI)
IA No. 151528/2025 - MODIFICATION

Diary No(s). 34887/2025 (XVI)
IA No. 151687/2025 - MODIFICATION

Diary No(s). 34888/2025 (XVI)
IA No. 151586/2025 - MODIFICATION

Diary No(s). 34891/2025 (XVI)
IA No. 151707/2025 - MODIFICATION

Diary No(s). 35039/2025 (XVI)
IA No. 152054/2025 - APPROPRIATE ORDERS/DIRECTIONS AND IA No. 152056/2025 - CONDONATION OF DELAY IN FILING

MA 1554/2025 in C.A. No. 4894/2025 (XVI)
IA No. 155762/2025 - MODIFICATION OF COURT ORDER

SLP(C) No. 24357/2025 (XVI)
IA No. 199648/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED AND JUDGMENT AND IA No. 200471/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 24418/2025 (XVI)
IA No. 213363/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 213361/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 214334/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 214332/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION AND IA No. 214330/2025 - PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS

Diary No(s). 45848/2025 (XVI)
IA No. 199696/2025 - CLARIFICATION/DIRECTION

Diary No(s). 46454/2025 (XVI)
IA No. 201964/2025 - APPLICATION FOR PERMISSION, IA No. 276179/2025 - APPLICATION FOR PERMISSION, IA No. 201968/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 276178/2025 - CONDONATION OF DELAY IN FILING AND IA No. 201966/2025 - INTERVENTION/IMPLEADMENT

Diary No(s). 47322/2025 (XVI)
IA No. 206669/2025 - MODIFICATION OF COURT ORDER

SLP(C) No. 26868/2025 (XVI)
IA No. 209922/2025 - ADDITION / DELETION / MODIFICATION PARTIES, IA No. 209919/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 209920/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Diary No(s). 47511/2025 (XVI)
IA No. 207682/2025 - MODIFICATION

Diary No(s). 47618/2025 (XVI)
IA No. 208002/2025 - MODIFICATION

Diary No(s). 47622/2025 (XVI)

IA No. 208018/2025 - MODIFICATION

Diary No(s). 47630/2025 (XVI)

IA No. 208036/2025 - MODIFICATION

Diary No(s). 47752/2025 (XVI)

IA No. 208448/2025 - MODIFICATION

Diary No(s). 59314/2025 (XVI)

IA No. 261358/2025 - APPLICATION FOR PERMISSION, IA No. 261357/2025 - APPROPRIATE ORDERS/DIRECTIONS AND IA No. 261359/2025 - CONDONATION OF DELAY IN FILING

Diary No(s). 61805/2025 (XVI)

SLP(C) No. 24311/2025 (XVI)

IA No. 212192/2025 - DELETING THE NAME OF PETITIONER/RESPONDENT, IA No. 212196/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 284921/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 26-11-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) Mr. Ashis Kumar Chowdhury, Adv.
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Mr. Pradeep Shekhawat, Adv.
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Mr. Manoj Kumar Goyal, Adv.
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Mr. Heera Singh, Adv.
Mr. Rajesh Pratap, Adv.
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Mr. Mohd Faiz, Adv.
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Mr. Sundeep Pandhi, Adv.
Dr. P.B. Reddy, Adv.
Mr. Rahul Mohod, Adv.
Mrs. Aisha Siddiqui, Adv.
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Mr. Keshav Dev, Adv.
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Mrs. Deepti Singh, Adv.
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Ms. Aastha Shrestha, Adv.
Mr. Suchit Singh Rawat, Adv.

Ms. Vibha Datta Makhija, Sr. Adv.
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Ms. Sumedha Halder, Adv.

Mr. Abhijit Sengupta, AOR
Mr. Ali Ahsan Alamgir, Adv.
Mr. Asif Iqbal, Adv.

Mr. M.R. Shamshad, Sr. Adv.
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Mr. Saiful Haque, Adv.
Mr. Nadeem Ahmed, Adv.

For Respondent(s)

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Mr. Umang Tripathi, Adv.

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

Diary Nos. 29509/2025, 29521/2025, 29529/2025, 29536/2025, 29547/2025, 29557/2025, 29568/2025, 29576/2025, 34880/2025, 34860/2025, 34869/2025, 34870/2025, 34873/2025, 34875/2025, 34876/2025, 34878/2025, 34881/2025, 34882/2025, 34884/2025, 34885/2025, 34887/2025, 34888/2025, 34891/2025, 59314/2025 and SLP(C) 24418/2025

Learned counsel for the petitioner(s)/applicant(s) seek permission to withdraw these special leave petitions/application(s) reserving liberty to approach the High Court for seeking redressal of their lawful grievances in accordance with law.

Permission granted.

The special leave petitions/application are dismissed as withdrawn with the liberty aforestated.

Diary No. 46049/2025, 35039/2025, 45848/2025, 46454/2025, 47322/2025, Diary No(s). 47511/2025, 47618/2025, 47622/2025, 47630/2025, 47752/2025, 61805/2025, SLP(C) Nos. 24311/2025 and 26868/2025 and M.A. No. 1554/2025 in C.A. No. 4894/2025, SLP (C) No. 24357/2025.

Permission to file the special leave petitions is granted.

Delay condoned.

We are informed that a writ petition, being W.P.A. 26288/2025, has been entertained by a learned Judge of the High Court at

Calcutta and various issues were flagged by the learned Judge in her orders dated 07.11.2025, 11.11.2025, 12.11.2025 and 19.11.2025 passed therein.

The matters on the file of this Court as on date were kept pending only for the purpose of verifying whether the directions of this Court in *The State of West Bengal vs. Baishakhi Bhattacharyya (Chatterjee) and Ors.*¹ were implemented scrupulously. As a learned Judge of the Calcutta High Court has now taken up that issue also, we are of the opinion that it would be appropriate that the High Court, being the Court of the first instance, undertakes the exercise instead of this Court.

It would be open to the all petitioners/applicants before this Court to approach the High Court for redressal of their lawful grievances in accordance with law.

The High Court shall, however, ensure that none of the tainted candidates are permitted to slip through in the fresh selections, be it on any pretext. The High Court shall also ensure that the list of tainted candidates is placed in the public domain with full details so as to ensure that this does not happen.

Learned counsel in some of the cases seek relief in terms of certain paragraphs of the decision in *Baishakhi Bhattacharyya (Chatterjee)* (supra). They are at liberty to raise such hermeneutic exercises before the High Court.

The special leave petitions/applications are disposed of in the aforestated terms.

¹ 2025 INSC 437

The High Court shall examine the matters uninfluenced by any of the observations on merits made by this Court in the orders passed after the decisions in *Baishakhi Bhattacharyya (Chatterjee)* (supra).

The High Court shall also be mindful of the fact that the untainted candidates in the past selection were allowed to sit for the selection tests to be held afresh and their candidature cannot be adversely affected by application of the new Rules, that is, the 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.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
AR-CUM-PS

(PREETI SAXENA)
COURT MASTER (NSH)