

**THE HIGH COURT OF TRIPURA
AGARTALA**

WP(C) NO.497 OF 2014

1. Shri Subhajoy Das,

Son of Dr. Shri Bijoy Kumar Das,
resident of Ramnagar Road No.7,
P.O Ramnagar, P.S. West Agartala,
District-West Tripura.

2. Shri Jayanta Deb Roy,

Son of Shri Narayan Deb Roy,
resident of 37 Sardar Pukurpar,
P.O. A.D. Nagar, P.S. West Agartala,
District-West Tripura.

3. Smt. Manti Banik,

D/O Shri Pradip Banik,
resident of 118 Kunjaban Colony, Kunjaban
P.O. Kunjaban, P.S. New Capital Complex,
District-West Tripura.

..... *Petitioners*

- *Vs* -

Tripura Gramin Bank,

having its Head Office at Abhoynagar,
P.O. Abhoynagar, P.S. East Agartala,
Agartala, District-West Tripura.

..... *Respondent*

**BEFORE
THE HON'BLE MR. JUSTICE S.C. DAS**

For the petitioners	:	Mr. S. Deb, Sr. Advocate Mr. S. Dutta, Advocate
For the respondent	:	Mr. K. Bhattacharjee, Advocate
Date of hearing and delivery of Judgment & order	:	27.07.2015

Whether Fit for Reporting :

Yes	No
	✓

JUDGMENT & ORDER(ORAL)

On the prayer of learned counsel of both side, the writ
petition is taken up for disposal at the admission stage itself.

2. Heard learned senior counsel, Mr. S. Deb for the petitioners and learned counsel, Mr. K. Bhattacharjee for the respondent.

3. The petitioners appeared in the Common Written Examination (for short, CWE) conducted by Institute of Banking Personnel Selection (for short, IBPS). The case of petitioner No.1 is that he appeared in Regional Rural Banks(for short, RRBs) Online CWE for Recruitment of Officer Scale-I held on 21.09.2013/22.09.2013/28.09.2013 and he scored 124 out of 200 and the minimum qualifying standard score was 098. So he claimed that he was qualified for recruitment as Officer Scale-I. A copy of the CWE standard score annexed as *Annexure P3* to the writ petition.

It is the further case of petitioner No.1 that he also appeared in the RRBs Online CWE for recruitment of Office Assistant (Multipurpose) held on 28.09.2013/29.09.2013/30.09.2013/05.10.2013/06.10.2013 and he scored 116 marks out of 200 and the qualifying standard score was 095. A copy of the CWE standard score annexed as *Annexure P3A* to the writ petition.

Similarly, petitioner No.2 Jayanta Deb Roy also appeared in RRBs Online CWE for recruitment of Office Assistant (Multipurpose) held on 28.09.2013/29.09.2013/30.09.2013/05.10.2013/06.10.2013 and he scored 107 marks out of 200 and the qualifying standard score was 095. He also claimed to have

qualified for recruitment to the post of Office Assistant (Multipurpose). A copy of the details of CWE standard score annexed as *Annexure P4* to the writ petition.

Similarly, petitioner No.3 Manti Banik also appeared in RRBs Online CWE recruitment to the post of Office Assistant (Multipurpose) held on 28.09.2013/29.09.2013/30.09.2013/05.10.2013 and 06.10.2013 and she scored 117 marks out of 200 and the minimum qualifying standard score was 095. She also claimed to be qualified for appointment to the post of Office Assistant (Multipurpose). A copy of details of CWE standard score annexed as *Annexure P5* to the writ petition.

4. It is the case of the petitioners that pursuant to advertisement made by the respondent-Tripura Gramin Bank, they appeared in RRBs Online Common Written Examination(CWE) conducted by IBPS. The grievance of the petitioners is that while they were already qualified for the posts for which they appeared in CWE conducted by IBPS, the respondent subsequently made an advertisement on 24.01.2014(*Annexure P1* to the writ petition) whereunder it was mentioned that all 14 posts of Officer in Scale-I were reserved for ST/SC and OBC and all 40 posts of Office Assistant (Multipurpose) were reserved for ST and there was no post vacant for the General candidates and as a result no call letter was issued to the petitioners. The petitioners claimed that they already secured qualifying marks in the CWE conducted by IBPS

and therefore petitioner No.1 was entitled to be recruited to the post of Officer Scale-I as well as Office Assistant(Multipurpose) and petitioner Nos.2 and 3 were also entitled to be recruited to the post of Office Assistant(Multipurpose). The petitioners, therefore, prayed for issuing direction to the respondent for their appointment in the posts.

5. The respondents contended that CWE-III was conducted by IBPS in the month of September, 2014 and result was published in the month of November, 2014. The petitioners applied under General category but the advertisement was made for the posts under Reserved category which were backlog vacancies and that the petitioners applied under General category and therefore as per advertisement call letter for interview was not issued to them.

It is also contended by the respondents that after conducting the examination, IBPS selects the candidates and then sends the list of candidates on merit basis to the respective banks who require the recruitment and on the basis of the requirement of the post the banks advertise to apply through online basis and after that the respective banks call for oral interview in the ratio of 1:3 and as per marks obtained in CWE banks prepare respective short list as per need of the banks with the ratio of 1:3 consistent with vacancies. The names of the petitioners were not shortlisted by IBPS and not recommended and therefore their names for recruitment by the respondent did not arise.

6. The petitioners did not submit any copy of the advertisement pursuant to which they appeared in RRBs Online CWE conducted by IBPS. There is no doubt that they obtained standard scores in the Common Written Examination(CWE) but that itself, in my considered opinion, does not entitle the petitioners eligible for recruitment by the respondent. Burden lies on the petitioners to show that pursuant to the RRBs Online CWE conducted by IBPS, the respondent-Tripura Gramin Bank made attempt or sought select list from IBPS for appointment under the respondent. The petitioners failed to produce any such document.

7. *Annexure P1* is an advertisement dated 24.01.2014, *i.e.* subsequent to the written examination of the petitioners. No doubt, in *Annexure P1* it has been mentioned that the Indian citizens who have been declared qualified in the Online CWE for RRBs conducted by IBPS during September/October, 2013 they may apply for the post. The petitioners' grievance is that though they secured standard score in the Online CWE held in September/October, 2013, but they have no scope to avail call letter since there was no post vacant for the General category candidates. As per *Annexure P1*, all the posts of Officer Scale-I and Office Assistant(Multipurpose) were reserved. There was no post for General category. The petitioners did not challenge *Annexure P1* in the writ petition and so while there was no post meant for General category, naturally no call letter was issued to the petitioners

though they all obtained standard scores in the RRBs Online CWE for recruitment.

8. It transpires from the pleadings of the parties that the Regional Rural Banks Online CWE is conducted by IBPS and IBPS prepares the list of selected candidates and sends it to the concerned banks who give requisition to IBPS for particular post. There is nothing to show that the petitioners were in the select list forwarded by IBPS to the respondent-Tripura Gramin Bank for recruitment. Further, IBPS has not been made a party in the writ petition. The writ petition filed by the petitioners, therefore, is found to be devoid of any merit and hence it stands dismissed.

Parties to bear their own costs.

JUDGE