

**Circuit Bench of Calcutta High Court
at Jalpaiguri**

¹⁷
sm 10.12.
2019

W.P.A. 774 of 2019

**Khokan Singhal
Versus
The State of West Bengal**

Mr. Bijay Bikram Das.
.....for the petitioner.

Mr. Hirak Barman,
Mr. Ankar Mitra.
.....for the State.

Affidavit of service filed in court today be kept
with the record.

This is an application under Article 226 of the
Constitution of India wherein the writ petitioner
aggrieved by the arbitrary placement of his name
under the waiting list of “Karmabandhu” instead of the
waiting list of Office Peon-Unreserved.

A report has been submitted by the respondent
authorities that shows that in spite of the fact that the
petitioner had received more marks than the
second place candidate in the waiting list of Office
Peon-Unreserved, his name has been put as the first
candidate under the waiting list for the post of
“Karmabandhu”. The reasons supplied by the
respondent authorities for putting his name as the
first place candidate in the waiting list of the post of

“Karmabandhu” do not stand on a legal footing.

In the light of the same, the waiting list panel for the post of Office Peon-Unreserved and the waiting list panel for the post of “Karmabandhu” are set aside and the respondent authorities are directed to recast the waiting list in accordance with law.

The respondent authorities are directed to recast the waiting list panel within four weeks from date.

Accordingly, this writ petition is, thus, disposed of.

Since no affidavit-in-opposition is filed by the respondents, so all the allegations made in this writ petition are deemed to have been denied.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Shekhar B. Saraf, J.)