

09-02-2021
ct no. 13
Sl.24
pk

**WPA 1864 of 2021
(Through Video Conference)**

**Debabrata Maity
Versus
State of West Bengal and others**

Md. Kamalesh Bhattacharya,
Mr. Aninda Bhattacharya,
... for the petitioner.

Mr.Sudipta Panda,
Ms. Munmun Tewary
... for the state.

Mr. S.R. Saha
...for the respondent no. 3

The writ petitioner participated in the process of selection to the post of Data Entry Operator. The recruitment was to be conducted by the Webel Technology Ltd., respondent no. 3 herein. The petitioner submits that he was tested over telephone and appeared for interview at a particular venue. He submits that the list of successful candidates published by the Webel Technology Ltd. did not contain his name.

Counsel for the State submits that appointment order was issued by the State based on the recommendation made by the Webel Technology Ltd.

Counsel for the Webel Technology Ltd. submits that they are not the appointing authority and their role is restricted to making recommendations.

Counsel for the petitioner submits that State as well as Webel Technology Ltd. are required to produce the criteria for a selection and the Rules therefor.

It is now well-settled that a person who participated in the selection process cannot turn around and subsequently question the same. The petitioner did not ask for the Rules or challenge the selection process prior to participation.

It further appears that the post of Data Entry Operator at various Gram Panchayats under various Blocks is a contractual post and the selection criteria is fixed at the discretion of Webel Technology Ltd.

The prayers made by the petitioner cannot be acceded to. A writ petition, cannot be used as a means for a roving enquiry and/or for the purpose of fishing for evidence.

For the reasons stated herein above, the writ petition must fail and is hereby dismissed.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)