

Item No.123

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

03.03.2021
Ct-24

W.P.A. 5882 of 2021
Subodh Paswan & Ors.
v
The State of West Bengal & Ors.

Mr. Gouranga Kumar Das
Mr. Kapil Chandra Sahoo
Mr. Sandip Kumar Mondal
... for the petitioners.

Mr. Tapan Kumar Mukherjee
Ms. Tuli Sinha
... for the State.

Ms. Koyeli Bhattacharya
... for the Municipal Service
Commission.
Mr. Alok Kumar Ghosh
Mr. Arijit Dey
... for KMC.

According to the petitioners the West Bengal Municipal Service Commission committed several irregularities at the time of publication of the panel for the appointment of Conservancy Mazdoor under the Kolkata Municipal Corporation.

It appears that the petitioners are unsuccessful candidates who participated in the recruitment process. After publication of the panel the petitioners have challenged the same by making vague allegations in the

writ petition in respect of several candidates who have not been impleaded as party respondents in the writ petition. The petitioners have not been able to pin point a single irregularity in the panel but have come up with several vague allegations.

The candidate whose name is appearing at serial no. 200 of the list of recommended candidates has been treated as a Scheduled Caste candidate. According to the petitioner the said candidate is a Muslim candidate and he ought not to have been treated as a Scheduled Caste candidate.

The candidate whose name appears at Serial no. 256 of the said list has crossed the maximum age limit prescribed for appearing in the recruitment process.

The petitioner alleges that a candidate with the surname 'Mandal' ought not to have been treated as a Scheduled Tribe candidate.

Similar allegations have been made by the petitioners in respect of other candidates also. None of the candidates have been impleaded as party respondent in the instant writ petition. The allegations which have made by the petitioners are not based upon any records.

It appears that the petitioners being unsuccessful candidates have approached this Court to stall the recruitment process. The same cannot be permitted.

Accordingly the writ petition fails and is hereby dismissed.

WPA 5882 of 2021 stands dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)