

WPST 35 of 2021

Pradip Dasthakur and Anr.
Vs.
The State of West Bengal and Ors.
(Through Video Conference)

M/s. Soumen Dutta and
Subhadeep Chatterjee, Advocates
... for the Petitioners present in
Court.

Mr. Joytosh Majumder, Government Pleader
Mr. Biswabrata Basu, Advocate
Ms. Sucharita Paul, Advocate
... for the State respondents
present in Court.

Mr. Susanta Kr. Gangopadhyay, Advocate
... for the respondent no. 9 present
in Court.

Ms. Sonal Sinha, Advocate
... for the added respondents
present in Court.

Order dated March 8, 2021 passed by the West Bengal Administrative Tribunal (for short 'the Tribunal') is challenged in the present petition. The grievance of the petitioners is that the interim order has not been granted to the petitioners by the Tribunal.

The challenge in the Original Application filed before the Tribunal is to the Recruitment Rules applicable for the post of Junior Fishery Service (Grade-II). The contention raised by the petitioners therein is that 100% posts should be filled up by direct recruitment. Whereas the Rules provide that 60% post shall be filled up by direct recruitment and 40% by promotion.

Original Application was filed by the petitioners, who on the date of filing of the same, were not even candidates

in any of the recruitment process as no recruitment process for filling up posts by way of direct recruitment had started by that time.

In view of the aforesaid factual matrix where the validity of the Rules has been challenged by the petitioners, who are not even candidates in any selection process, no case is made out for grant of any interim order.

The writ petition is dismissed.

(Rajesh Bindal, J.)

(Aniruddha Roy, J.)