

IN THE HIGH COURT AT CALCUTTA

Appellate Side

Present:

The Hon'ble Justice Krishna Rao

WPA 7376 of 2018

Rajiv Kumar

Versus

State of West Bengal & Ors.

For the petitioner : Mr. P.C. Das
Mr. Samar Chowdhury Bandhu
Mr. Rima Mishra
..... Advocates

For the Municipal Service Commission
: Ms. Koyeli Bhattacharyya
.....Advocate

Heard lastly on : 02.12.2021

Judgment on : 09.12.2021

Krishna Rao.: The Secretary Municipal Service Commission published an advertisement being No. 11 of 2017 dated 05.08.2017 for recruitment to the post of Deputy Manager under Kolkata Municipal Corporation against 26

numbers of vacancies [Unreserved-12, Unreserved (Physically Handicapped)-02, Scheduled Caste-04, OBC(A)- 03 & OBC(B)- 04].

The petitioner having requisite qualification had applied for the said post under Scheduled Caste category. The petitioner has received an admit card for attending written examination for the said post and accordingly, the petitioner had appeared in the written examination on 10.12.2017. The petitioner was declared successful in the written examination and the same was duly communicated to the petitioner and the petitioner was requested to appear for personal interview along with all original documents for verification on 19.03.2018. The petitioner was also directed to submit his all educational certificate including age proof and accordingly, the petitioner had submitted the same. The grievance of the petitioner that though the petitioner has passed the written test and has been called for personal interview and also directed to submit the documents for verification but in spite of the same, the name of the petitioner was not recommended for appointment to the said post. The petitioner prays for a direction upon the authority to recommend the name of the petitioner for appointment to the post of Deputy Manager under the Kolkata Municipal Corporation.

The respondents have entered appearance and have filed their Affidavit-in-opposition. The specific case of the respondents that the petitioner has obtained 143 marks out of 400 marks in his written examination and 25 marks out of 75 marks for interview/Personality test in total the petitioner has obtained 168 marks. The respondents further submitted that the last Scheduled Caste candidate who was selected and

recommended by the Commission had obtained 149 marks in written test and 40 marks for interview/personality test in total 189 marks and thus the petitioner was not found eligible for recommendation for the panel prepared for the post of Deputy Manager under Scheduled Caste Category.

The petitioner has applied for the Post of Deputy Manager in the Kolkata Municipal Corporation under Schedule Caste Category and as per advertisement only 04 posts were reserved for the said category. The documents produced by the respondent authorities justified that there are four candidates who have obtained higher marks than the petitioner in the said category and their names were recommended for appointment and thus the respondents have not recommended the name of petitioner for appointment to the said post.

The petitioner has obtained less mark than the four candidates of the said category and thus the writ petition filed by the petitioner is devoid any merit.

WPA No. 7376 of 2018 is dismissed. No order as to cost.

(Krishna Rao, J.)