

IN THE HIGH COURT AT CALCUTTA
(Appellate Side)
CONSTITUTIONAL WRIT JURISDICTION

CAN 9831/19

In

WP.ST 347 of 2009

Date of decision:-25.3.2021

Tamasa Mondal and Anr.

...Petitioners

-versus-

The State of West Bengal and Ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE ANIRUDDHA ROY

Present:- Md. Abdul Mabud, Advocate
... for the petitioner
M/s Sarajit Sen,
Tapas Singha Roy, Advocates
... for the respondents.

ORDER

1. The prayer made in the present application is to implead her as respondent in the writ petition. The claim is based on the fact that the applicant was one of the candidates for the post in question. In fact, her candidature was considered in view of the order dated September 05, 2007 passed by the Tribunal in Original Application bearing O.A. No. 5751 of 2007. However, the selection was still not finalized. Later the applicant came to know that due to the pendency of the present writ petition in this Court in which there was interim stay granted, selection process has not been finalized. As the applicant is one of the candidates

in the process of selection and is likely to be selected and appointed, she is a necessary party in the litigation.

2. After hearing learned Counsel for the applicant we do not find any merit in the submissions made. It is an undisputed fact that the selection process has not yet been concluded. Even if a candidate is selected the same does not confer any right to him/her to seek appointment. In the writ petition the petitioners challenge the order dated February 26, 2009 passed by the Tribunal whereby the Original Application bearing O.A. No.79 of 2009, filed was dismissed on account of delay and laches. The issue pertains to selection and appointment of Gram Sevika. Some of the candidates challenged the process of selection in which the interim stay was granted by this Court.

3. Considering the aforesaid facts we do not find any case is made out for impleadment of the applicant as respondent in the writ petition. The application is accordingly dismissed.

(Rajesh Bindal, J.)

(Aniruddha Roy, J.)

Kolkata

25.03.2021

PA (SG)