

15.06.2022
Court No.05
Item No. 37
(Suvendu)

WPA 1624 of 2022

Anupa Dey
-Vs-
State of West Bengal & Ors.

Mr. Shambhunath Ray
Mrs. Amrita Tewari
Mr. Mohinimohan Bhattacharya
... for the petitioner
Mr. Sukanta Chakraborty
...for the High Court Administration
Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
.....for the State

The affidavit of service is taken on record.

From the submissions of learned counsel appearing for the petitioner and the High Court Administration it is clear that the petitioner's prayer of a direction on the Administration as well as the Public Service Commission under The Right to Information Act, 2005 has been granted. This is by reason of the fact that the petitioner was given inspection of the answer scripts on 25.02.2022. The writ petition was filed on 28.01.2022. Hence, the relief was given to the petitioner in terms of the prayer sought for after filing of the writ petition.

The grievance of the petitioner now as expressed by learned counsel on her behalf is the several anomalies in the marking of the answer scripts which was brought to the petitioner's notice in February, 2022, that is after filing of the writ petition.

This Court is hence of the view that the second grievance of the petitioner gives rise to a fresh cause of action and the petitioner is entitled to file a fresh writ petition to address such grievance.

The submissions made on behalf of the High Court Administration is taken note of that the petitioner was ranked 31 out of 50 candidates and only 26 candidates were recommended against the vacancies for the concerned post. Hence the petitioner did not come within the zone of consideration at the material point of time.

WPA 1624 of 2022 is disposed of in terms of the above.

The petitioner shall be at liberty of approaching the High Court Administration for a copy of the Report of July, 2021 which has been mentioned by counsel appearing for the High Court Administration.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)

