

03.11.2022
Sl. No.15(DL)
srm

W.P.A. No. 8164 of 2022

Abdul Hakim & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Prahlad Chandra Ghosh,
Mr. Saibal Acharya,
Mr. Swapan Kumar Chatterjee

....for the Petitioners.

Mr. Kamalendu Ghose,
Mr. Raja Ghosh

...for the State-respondents.

Affidavit of service is taken on record.

The prayers in the writ petition cannot be allowed.

The petitioners have not been able to establish that they have any legal and/or fundamental right to be appointed under any scheme to be floated by the panchayat authorities or to any post under any gram panchayat on the basis of their experience which they had gathered on earlier occasions while they were serving as '*Preraks*' in the district of Murshidabad.

The law is well established that all eligible candidates have a right to be engaged by the authorities by way of a proper selection process and as such as and when such selection process is initiated or schemes are introduced, the petitioners and all other similarly

circumstanced candidates are entitled to participate and be considered in accordance with law as per the terms and conditions and eligibility criteria to be framed and formulated by the authority. No separate order need be passed in case of the petitioners, directing the authorities to consider the case of the petitioners in deviation to the established procedure. This is not a case where the petitioners have come up before this court on being deprived of their right to be appointed or selected.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)