

20.01.2022
Court No. 19
Item no.23
CP

WPA No. 15124 of 2021

Akib Khan & anr.
Vs.
The State of West Bengal & ors.

Mr. Pankaj Haldar

....for the petitioner.

Mr. Arunava Ghosh, Sr. Counsel
Mr. S. R. Saha
Mr. S. K. Mukherjee

.....for the WEBEL.

Md. Galib
Ms. Sujata Ghosh

.....for the State.

The allegation of the petitioners is that the petitioners applied for the post of Date Entry Operator pursuant to a recruitment notice issued for recruitment to Bangla Sahayata Kendras, but they were not called for any interview. It is alleged that WEBEL Technology Limited, the company who was engaged to conduct and complete the recruitment process did not consider the candidature of the petitioners for extraneous reasons and with mala fide intention.

Mr. Ghosh, learned senior counsel appearing on behalf of WEBEL, submits that WEBEL is just an agency which had been out sourced the job of

making the recruitment. He submits that on a mere allegation that the company had not considered the candidature of the petitioners with mala fide intention, the writ petition should not be entertained. Finally, he submits that the recruitment process had been conducted as per law and completed in 2021. The final results have been published. It is the specific contention of the company that the petitioners are either unsuccessful or ineligible and, as such, their candidatures were not considered.

According to the petitioners, they ought to have been called for a verification once their applications had been submitted on-line, but they were not called for such verification.

Under such circumstances, without going into the merits of the claims of the parties and as disputed questions of facts are involved, the writ petition is disposed of with a direction upon the competent authority of the WEBEL Technology Limited to consider the representations of the petitioners being Annexure – P-5 at pages 32 and 33 of the writ petition and intimate the petitioners the about the fate of their application and also why they were not called for verification.

The contention of the petitioners that the entire process was conducted without an advertisement, is not accepted at this stage, in view of the fact that the

petitioners had applied in the portal by submitting on-line applications, pursuant to the recruitment notice.

The said intimation shall be given to the petitioners within a period of three months from the date of the communication of this order.

A copy of the representations of the petitioners shall be served upon the competent authority of WEBEL Technology Limited along with a server copy of this order.

The writ petition is, thus, disposed of. There shall be no order as to costs.

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

(Shampa Sarkar, J.)