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13.05.2022
Court No. 23
d.g.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 18990 of 2021

Surojit Kanrar & Ors.

Vs.

The State of West Bengal & Anr.

Mr. Tanmay Basu,
Mr. Subhadip Paramanick,
Ms. Jayita Dhar.

... for the petitioners

Mr. Arunava Ghosh,
Mr. S.R. Saha.

... for the respondent no. 2

The petitioners say that pursuant to an advertisement for recruiting Data Entry Operator in Webel Technology Limited (in short Webel) published in the portal of the official website of Webel, the petitioners submitted their application in online mode. In acknowledgement of such applications an identification code was given to each of the applicants. The petitioners say that after completion of the selection process the result has been published without giving the identification number but only referring to the Aadhar number of the successful candidates. The petitioners say that by this process Webel Technology Limited has acted in an in transparent manner. Since the results have been published by indicating the Aadhar number it cannot be ascertained whether the persons selected had actually applied for in the selection process and got selected or the selected candidates are from outside the applicants. If the result was published against the identification numbers given to each of the applicant, it would have been easier to know which of the applicants

have actually been selected. The petitioners say that confusing reports are being circulated through social media and they apprehend a scam. The petitioners, therefor, are inter alia, seeking a direction to allow them to join as Data Entry Operator for Bangla Sahayata Kendra (in short 'BSKs').

On behalf of Webel, the respondent no. 2, it is submitted that they were entrusted the job of selecting the candidates. The procedure followed by them is absolutely transparent. In order to identify the applicants, the respondent no. 2 had provided the identification numbers. After completion of the selection process, the respondent no. 2 has submitted the final list of selected candidates to respondent no. 1 who has published the result. It was never within the domain of respondent no. 2 to publish the result under the selection process. The respondent no. 1 according to the respondent no. 2 found it convenient to publish the result by indicating the Aadhar number of the selected candidates instead of giving the identification number by respondent no. 2 as the respective Aadhar Nos were available alongwith the online application. This cannot be in any manner alleged to be a scam. That apart, in any event, the respondent no. 2 says that the petitioners have participated in the selection process and on being unsuccessful has challenged the same. This is impermissible in law and in view of the ratio laid down by the Hon'ble Supreme Court in several of its judgments.

After hearing the parties and considering the materials on record, I find that the writ petition is based on surmise and conjectures. The writ petitioners have not been able to demonstrate any enforceable right, they have in their favour for the infringement of which the writ petitioners can invoke the jurisdiction of this Court under Article 226 of the Constitution of India. The Court cannot be called upon to make a roving enquiry on apprehension to stall a selection process which has reached the final stage in the jurisdiction invoked by the petitioners. The prayers made in the writ petition are also ambiguous. In any event, mandatory order directing appointment in the facts of the case cannot be prayed for.

The writ petition is devoid of merits and is accordingly dismissed without any order as to costs.

Since I have not called for any affidavit, allegations made in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)