

S/L 16
14.11.2022
Court. No. 19
GB

W.P.A. 21939 of 2022

Mitali Das
VS
The State of West Bengal & Ors.

*Mr. Supriyo Chattopadhyay,
Mr. Samaresh Chandra Dhara.*

...for the Petitioner.

Mr. Rezaul Hossain.

...for the State.

Affidavit-of-service filed in Court today, be kept with the record.

Despite service, none appears on behalf of the respondent nos.6 and 7.

The writ petition is based on surmise and conjecture of the petitioner. While the petitioner argues that the respondent nos.6 and 7 have been wrongly selected on the basis of forged documents, there is nothing on record which would impress the Court to issue a high prerogative writ upon the recruitment authority. Undoubtedly, an unsuccessful candidate may challenge a selection process on the grounds of arbitrariness, irregularities, mala fide, bias etc. In this case, stray allegations have been made, that the respondent no.6 had forged certain documents and the respondent no.7 did not satisfy the eligibility with regard to the residential status. Neither the notification which would indicate the eligibility criteria nor any other document has been put forward before the Court in support of the allegations made by the petitioner.

Under such circumstances, the writ petition cannot be entertained. If in future, the petitioner is able to produce better particulars with regard to the allegations made against the respondent nos.6 and 7, the petitioner may approach the authority in accordance with law. Stray and omnibus allegations shall not be entertained. If the petitioner approaches the authority, in that event the representation of the petitioner shall be disposed of in accordance with law upon hearing the parties. The writ petition is not entertained and the prayers cannot be granted.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)