

202
jdt.

16.06.2022
jb.

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

W.P.A. 181 of 2022

**[Mr. Shyamal Das @ Shamal Das & Ors. vs. The Secretary,
Department of Civil Defence, (Home Guard) & Ors.]**

**Mr. Arijit Ghosh
Ms. Swarnali Ghosh(Sengupta)
... For the Petitioners**

**Mr. Subir Kr. Saha
Mr. Hirak Barman
Mr. Momenur Rahaman
... For the State**

Affidavit-of-service filed by the petitioners is
taken on record.

The petitioners undertake to deposit deficit
court fees in course of tomorrow.

In response to a notice dated 27th February,
2013 published by the 2nd respondent inviting
applications for appointment of Home Guard
Volunteers, the petitioners applied for the said post
and being found eligible, appeared for the physical
measurement and physical efficiency test wherein
they were successful. Despite the said fact the
petitioners were not called for the interview and

ultimately a final list was published which did not contain the name of the petitioners. The petitioners submitted a representation before the concerned Authority ventilating their grievances on 14th July, 2020 which is yet to be disposed of. The petitioners have prayed for a direction upon the Authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that representation submitted by the petitioners may be directed to be disposed of by the concerned Authority.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioners dated 14th July, 2020 within one month from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law. The decision taken by the Authority shall be communicated to the petitioners within a week thereof.

It is made clear that this Court has not gone into the merits of the case and the petitioners shall be at liberty to place their contentions as made out in the writ petition before the concerned Authority at the time of hearing.

The writ petition being W.P.A. 181 of 2021 is thus disposed of.

There shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Consequently, CAN 1 of 2021 is disposed of.

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

(Suvra Ghosh, J.)