

**06**      **19.01**  
*Ct No*    **2023**  
**21**  
*AGM*

**W.P.A. 1118 of 2023**

**Rajib Nath Saha**  
**Vs**  
**State of West Bengal & Ors**

Mr. Sandip Ghose,  
Mr. Debayan Ghosh

... For the Petitioner.

Ms. Shraboni Sarkar,

... For the respondent nos. 2 and 3.

Mr. Sandip Ghose, learned counsel appearing on behalf of the petitioner challenges the fact that several purportedly wrong answer keys have been provided in the recruitment process held by the Public Service Commission, West Bengal for the post of Junior Engineers' (Civil/Mechanical/Electrical) Recruitment Examination, 2017.

Ms. Shraboni Sarkar, learned counsel appears on behalf of the respondents. She challenges the maintainability of the present writ petition by placing reliance of Section 15 (1) (b) of the Administrative Tribunals Act, 1985. She submits that the petitioner is an incumbent of a civil post under the State and service pertaining to such persons in connection with the affairs of the State or any local or other authority under the control of State Government or any Corporation or Society owned or controlled by the State Government should have approached the Tribunal, at the first instance.

Considering the rival submission made by the

parties and materials on record, this Court is of the view that under Section 15 (1) (a) of the Administrative Tribunals Act, 1985, recruitment and matters concerning recruitment to any civil service of the State or to any civil post under the State is under purview of the State Administrative Tribunal.

In the light of the discussions above, this Court is not inclined to receive, try and determine the present writ petition.

Therefore, **WPA 1118 of 2023** is **dismissed**.

The petitioner will be at liberty to approach the appropriate Tribunal, if so advised.

It is made clear that this Court has not gone into the merits of the case.

Since no affidavits have been directed to be filed in the present writ petition, all the allegations contained therein are deemed not to have been admitted by the parties.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

**( Lapita Banerji, J.)**