

10.8.2023

ap  
09

**WPA 3263 of 2023**

Papia Bera  
Vs.  
The State of West Bengal & Ors.

Mr. Supratim Dhar  
Mr. Ziaul Haque  
... For the petitioner.

Ms. Debjani Sengupta  
Mr. Abhijit Chatterjee  
... For Vidyasagar University.

Mr. Biswabrata Basu Mallick, AGP,  
Mr. Sanjib Das  
... For the State.

It is the grievance of the petitioner that she was appointed as a Group 'D' staff on compassionate ground at Kaibalyadaini College of Commerce, Paschim Medinipur on March 23, 2012. A Group 'C' post at the said college is lying vacant and despite being eligible for promotion to the said post, the college has not taken any steps to appoint her to the said Group 'C' post.

There is no scope of interference at this stage.

The petitioner accepted her appointment to a Group 'D' post in the year 2012. As a matter of right the petitioner cannot claim to be promoted to Group 'C' post unless the college initiates the process to fill up the said post and she fulfills the eligibility criteria in terms of the extant recruitment rules.

In that view of the matter, this writ petition is disposed of with a direction upon the college that if the college, in future, initiates the proceedings to fill up the said Group 'C' post, the petitioner's candidature shall be considered along with other eligible candidates in accordance with law.

With the aforesaid observation, WPA 3263 of 2023 is disposed of.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)