

WP.ST 42 of 2011

Subhadip Mitra & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Swapan Kumar Nandy
Mr. Debjyoti Ghosh
... for the petitioners

The writ petition is directed against an order dated December 16, 2010 passed in O.A. 1466 of 2009 by the West Bengal Administrative Tribunal.

By the impugned order, the learned Tribunal, negated the challenge to the disqualification of the writ petitioners, in the selection process.

The writ petitioners participated in the selection process of a 'constable'.

Writ petitioners, on medical examination were found to be colour blind. In the writ petition, it is claimed that the writ petitioners passed the colour blindness test.

In the impugned order, we find that the learned Tribunal proceeded to record that, there was no dispute that the writ petitioners were suffering from colour blindness.

Colour blindness is a serious matter in an armed

police force. Colour blindness for a constable will resonate on the ability to discharge his duties.

Suitably of a candidate is in the domain of the appointing authority. We do not find that the appointing authority treated the writ petitioners unfairly. They failed one test for colour blindness. Appointing authority cannot be faulted for being cautious with regard to colour blindness.

In such circumstances, we find no merit in the present writ petition.

WP.ST 42 of 2011 is dismissed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)