

12.10.2023
Item No.5
Ct. No.5
CHC
(dismissed)

WP.ST 47 of 2011
IA NO: CAN/2/2023

Md. Faiyaz Ahmad
Vs.
State of West Bengal & ors.

Mr. Supratim Dhar,
Mr. Kunal Ganguly
...for the writ petitioner

Mr. Tapan Kr. Mukherjee, Sr. Advocate & A.G.P.
Ms. Tuli Sinha
...for the State

In Re: CAN/2/2023

CAN/2/2023 is an application for restoration.

For the ends of justice and on the basis of the pleadings made in the application, we recall the order dated July 24, 2023 and restore the writ petition to its file and number.

CAN/2/2023 is **disposed of**.

In Re: WP.ST 47 of 2011

The writ petition is directed against an order dated January 31, 2011 passed by the West Bengal Administrative Tribunal in O.A.1405 of 2010.

By the impugned order, the Tribunal rejected the Original Application.

The writ petitioner participated in the selection process undertaken by the Public Service

Commission for the post of Assistant Director of Fisheries under the State of West Bengal.

The selection process required that the incumbent to the post must be efficient in reading and writing Bengali amongst others.

In the selection process, the writ petitioner was not found proficient in Bengali.

Knowledge of Bengali was prescribed as an essential qualification in the selection process. The documents of educational qualification annexed to the writ petition does not suggest that the writ petitioner undertook his education in Bengali.

There is nothing on record to suggest that, the Public Service Commission acted arbitrarily or in a perverse manner in assessing the knowledge of Bengali of the writ petitioner.

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

WP.ST 47 of 2011 is **dismissed** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)