

02.08.2023
Item No.174
Court No.238
Avijit Mitra

**WPA 5584 of 2019
with
IA No. CAN 1 of 2020 (Old No.CAN 2874 of 2020)**

**Pabitra Mukhopadhyay
Versus
The State of West Bengal & ors.**

Mr. Soumik Ganguly,
Ms. Chandana Chakraborty
...for the petitioner
Mr. Anil Kumar Gupta
....for the UGC

Let the affidavit-in-opposition filed by respondent nos. 4 and 5 be kept on record.

When this writ petition was taken up for hearing on 27th March, 2019 a Coordinate Bench of this Court declined to pass any *interim* order noting that this writ petition had been filed only on March 8, 2019 to challenge the selection process initiated by respondent no.6 namely, Bankura University, for the post of Junior Peon in terms of an advertisement dated November 07, 2014. This writ petition has remained in this Court for another four years.

At this juncture, after hearing the submission of Mr. Ganguly, learned advocate appearing for the petitioner, it appears that the grievance of the writ petitioner is that he was an aspirant for the post of Junior Peon and he made his application following an advertisement published on

November 07, 2014. Regarding issuance of admit card it was indicated in the advertisement as follows :

“5. The self attested Admit Card (candidate’s copy and the institution copy) should be submitted along with the application form”.

It has been submitted by Mr. Ganguly that the petitioner was under the impression that the University would retain a copy of the admit card and the other copy would be sent to him by the University by registered post.

It, however appears that the University published an advertisement on 29th July, 2015 in a Bengali newspaper namely, ‘Sangbad Protidin’ where it was indicated that the applicants were required to download their admit cards from the University’s website.

The petitioner submits that since the said newspaper was not well circulated, the petitioner was unaware that he had to download his admit card. He expected the University to send the admit card to him. The University, however, did not do so and he could not participate in the selection process. Accordingly he prays for cancellation of the entire selection process.

I am unable to accept the contention of the petitioner. If the other candidates followed the advertisement published on November 07, 2014, the petitioner cannot expect to be treated differently.

It appears that the petitioner was not diligent enough in pursuing his candidature for the relevant post. I have already noted, about 13 years have elapsed from the date

of selection, the petitioner does not dispute that the selected candidates for the said post have been serving in the post.

At this juncture I am not inclined to interfere with the selection process and accordingly WPA 5584 of 2019 together with IA No. CAN 1 of 2020 is dismissed.

There shall, however, be no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties as expeditiously as possible.

(Kausik Chanda, J.)