

03-07-2023

AKG

Ct. 238

WPA 7053 of 2023
Sri Somnath Ghosh
Vs.
The State of West Bengal & Ors.

Md. Nasim Ali

...for the Petitioner

Mr. Subhrangsu Panda,
Ms. Mithu Singha Mahapatra
...for the College Service Commission

The petitioner claims that he has been arbitrarily kept out of the panel of the successful candidates in the recruitment process for the post of Assistant Professor conducted by the College Service Commission in the year 2018.

The Commission was asked to file its report. The relevant part of the report is quoted below :

“It is to be mentioned here that the total score obtained by the petitioner is 71.62 and his rank under UR category is 243. In the provisional merit panel, last empanelled candidate obtained total score 77.37, having rank 72 under UR category. The petitioner filed an application under Section 6 of RTI Act 2005 for seeking some information on 2nd December 2022; there is an alternative remedy in the Right to Information Act 2005. The petitioner cannot file a writ petition seeking information as he sought by way of RTI application 2005 without exhausting the statutory remedy.”

Since the affidavit discloses that the petitioner

could not obtain the qualifying marks to be empanelled, I am not inclined to entertain this writ petition. The petitioner may, however, avail his remedy under the Right to Information Act, 2005 in accordance with law.

WPA 7053 of 2023 is dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Kausik Chanda, J.)