

Item-1. 21-08-2023

FMA 2353 of 2015
CAN 5 of 2018 (old CAN 8977 of 2018)

sg Ct. 8

Malay Pahari
Versus
The West Bengal Central School Service Commission & Ors.

Mr. Parashar Baidya, Adv.

...for the appellant

Dr. Sutanu Kumar Patra, Adv.

Ms. Supriyo Dubey, Adv.

...for WBCSSC

1. Dr. Sutanu Kumar Patra, learned Counsel for the West Bengal Central School Service Commission has submitted that the communication dated 22nd September, 2018 has clearly stated that after reconsidering, it was found that the total marks obtained by the petitioner is 58.00 and the marks obtained by the last candidate who was recommended for appointment from the concerned approved panel for the recruitment is 60.33 which is more than the marks obtained by the appellant/writ petitioner and for this reason the case of the petitioner could not be considered.
2. In fact, it appears that in 2008 he was found to be successful presumably for the purpose of appearing at the interview but he was not empanelled for some reason. However, whatever the grievance of the petitioner could be; at the relevant point of time, it was sought to be redressed in terms of the order dated 4th May, 2018 and now, he was found to be unsuccessful for the reason, inter alia, stated in the communication dated 22nd September, 2018.
3. In view thereof, we do not find any reason to interfere with the order passed by the learned Single Judge.

4. The appeal fails. The appeal and the application being CAN 5 of 2018 (old CAN 8977 of 2018) stand dismissed. However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)