

24.04.2023
DL-12
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 7889 of 2023

Rita Roy Sarkar & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Tanmoy Basu,
Mr. Debdip Mandal

....for the petitioners.

Mr. Amal Kumar Sen, AGP,
Ms. Tuli Sinha

....for the State.

The petitioners have challenged the rejection of their candidature for recruitment to the post of Homeopathic Pharmacist under the Health and Family Welfare Department, Government of West Bengal.

Under Section 15 of the Administrative Tribunals Act, 1985 the State Administrative Tribunal for a State has the jurisdiction, powers and authority in all matters regarding recruitment, matters concerning recruitment, to any civil service of the State or to any civil post under the State on and from the appointed day exercisable immediately before that day by all Courts (except the Supreme Court).

In such view of the matter, the writ petition, being **WPA 7889 of 2023** is **dismissed** as this Court

does not have the jurisdiction to receive, try and entertain the writ petition, at the first instance.

The petitioners will be at liberty to approach the appropriate forum on the self-same cause of action.

Since no affidavits have been directed to be exchanged in the writ petition, the allegations contained therein are deemed not to have been admitted by the respondents.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J.)