

S/L 36
06.09.2023
Court. No. 29
Suwayan

WPA 7127 of 2019

**Panna Roy & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Baidurya Ghosal

...for the petitioners.

1. The writ petitioners are represented by their learned Advocate, Mr. Baidurya Ghosal.
2. Mr. Ghosal has handed over a receipted copy of letter dated 18.08.2023 addressed to the Mr. L. M. Mahata, learned Advocate for the State/respondents.
3. None appears on behalf of the State/respondents despite notice.
4. Accordingly, the instant writ petition is taken up for hearing in absence of the State respondents.
5. By filing the instant writ petition under Article 226 of the Constitution of India it has been contended by the petitioners that by virtue of a notice dated 27.06.2017 the present petitioners are found to be eligible to appear in the selection process of Auxiliary Fire Operator on a daily payment basis and thereafter the writ petitioners duly appeared in the said recruitment examination on the basis of issuance of admit card by the Divisional Fire Officer, Burdwan Division, West Bengal Fire and Emergence Services.
6. It is the further case of the petitioners that all on a sudden on 07.02.2018 the respondent No. 6/authority through ADMG, Purba Bardhaman issued a similar such

notice dated 07.02.2018 wherein it has been specifically mentioned that 404 candidates whose names have been already sponsored previously pursuant to the earlier notice dated 27.06.2017 need not apply further. It is the grievance of the petitioners that pursuant to the earlier notice dated 27.06.2017 and the recruitment examination held thereafter no result has yet been published and on the contrary the respondent authorities have published a list of selected candidates for the said post of Auxiliary Fire Operator the basis of which is not known to the writ petitioners.

7. It is, thus, contended that an appropriate order may be passed for appointing the writ petitioners for the post of Auxiliary Fire Operator pursuant to the notification dated 27.06.2017.

8. Since the respondent authorities are not represented today and since they have not used their opposition this Court fails to understand the basis on which the list of selected candidates for the Auxiliary Fire Operator, Purba Bardhaman has been published by the respondent authorities.

9. Regard being had to such facts and circumstances as discussed hereinabove, this Court disposes the instant writ petition by directing the Director General, West Bengal Fire and Emergency Services being the respondent No. 2 herein to consider the prayer of the petitioners which is to be made by the writ petitioners by way of representation within two weeks from the date of passing of this order for appointment to the post of Auxiliary Fire

Operator in the District Purba Bardhaman in case there are available vacancies in such post in the concerned District and if the petitioners are found to be otherwise eligible and/or entitled to be appointed to the said vacant post(s) in accordance with law. In the event vacancies are available and the petitioners are found eligible and are entitled to be appointed to the post(s) in question, such appointment be given as expeditiously as possible. The entire exercise is to be completed within a period of eight weeks from the date of communication of this order to the concerned respondent authorities.

10. With the aforementioned observation the instant writ petition being WPA 7127 of 2019 is hereby disposed of.

11. Parties to act on the server copies of this order.

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

(Partha Sarathi Sen, J.)