

212 09-08-2023
AKG
Ct. 238

WPA 9487 of 2023
Kajalbaran Jana
Vs.
The State of West Bengal & Ors.

Mr. Piyush Chaturvedi,
Mr. Tarun Kumar Das,
Mr. Dilip Kumar Shyamal

...for the Petitioner

Mr. Subhrangsu Panda,
Ms. Mithu Singha Mahapatra

...for W.B.C.S.C.

Let the affidavit in opposition filed by the college service commission and affidavit in reply filed by the petitioner be kept with the records.

The petitioner is an aspirant for the position of Principal. Admittedly, the petitioner is age barred for the said post.

On an earlier occasion, the petitioner approached this Court seeking a direction upon the State to condone his age bar.

Mr. Chaturvedi, learned advocate appearing for the petitioner submits that the petitioner withdrew the said writ petition since the college service commission had allowed the petitioner to participate in the selection process. The petitioner was under the bonafide impression that he had been allowed to participate in the selection process condoning his age bar.

He further submits that after the publication of

the result of the selection process, the petitioner found that he had not been recommended for counselling by the college service commission which compelled him to file this writ petition.

Mr. Panda, learned advocate appearing for the college service commission submits that the college service commission allowed everyone to participate in the selection process who applied through online and accordingly, the petitioner was also allowed to participate in the selection process. Subsequently, it was found that the petitioner was age barred and hence his application was not considered.

Mr. Panda submits before this Court that the petitioner was not allowed to take part in the interview and he was not assessed by the selection committee.

Mr. Chaturvedi submits that the petitioner made a representation before the Principal Secretary, Higher Education Department, Govt. of West Bengal for condonation of his age bar. Such prayer has not yet been considered by the State.

In that view of the matter, I direct the Principal Secretary, Higher Education Department, West Bengal to take a decision with regard to the condonation of the age bar of the petitioner in accordance with law within a period of one month from the date to communication of this order to enable the petitioner to participate in the upcoming selection process for the post of Principal,

conducted by the College Service Commission.

The Principal Secretary shall hear the petitioner and pass a reasoned order. The reasoned order shall be communicated to the petitioner within one-week thereafter.

Accordingly, **WPA 9487 of 2023** is disposed of.

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.)