

11.04.2023  
Item No.24  
gd/ssd

WPA(P)/204/2021  
IA NO: CAN/1/2021  
SUCHARITA CHATTERJEE  
VS  
THE STATE OF WEST BENGAL AND ORS.

Mr. Mrityunjoy Chatterjee,  
Mr. Saroj Banerjee,  
Ms. Jui Jana  
..for the Petitioner.

Mr. Himadri Sikher Chakraborty  
..for the State.

Mr. Arjun Ray Mukherjee,  
Mr. D. Mitra  
..for the Respondent Nos.3 to 6.

1. By this public interest litigation the petitioner seeks to question the selection of one Priyanka Mondal as Fellow Scientist in the West Bengal Pollution Control Board.

2. According to the petitioner, the said candidate, Priyanka Mondal is not qualified to be selected to the post as the basic requirement as notified in the recruitment notification of possessing qualification in NET has not been complied with by the said candidate.

3. The learned Advocate appearing for the writ petitioner has drawn our attention to the annexures filed along with the affidavit-in-opposition on behalf of the respondent nos.3 to 6 and submitted under the column Education Qualification of Ms.

Priyanka Mondal which has been stated that no valid NET/GATE.

4. It is seen that in the said tabulated information under the column Recommendation and Ranking, it has been stated that the candidate was considered as she has completed PHD after qualifying RET examination.

5. According to the learned Advocate appearing for the writ petitioner, it can be established that the candidate does not possess the said qualification which has been recorded by the selection panel under the column Recommendation and Ranking.

6. From these facts it is evidently clear that the present writ petition is clearly a service matter and the settled legal principle is that the public interest petition cannot be entertained in a service matter, therefore, the writ petition is dismissed as not maintainable.

7. However, we make it clear that we have not made any observation touching upon the merits of the matter and leave upon the aggrieved persons to take up the matter, if so advised.

**(T. S. SIVAGNANAM)**  
**ACTING CHIEF JUSTICE**

**(HIRANMAY BHATTACHARYYA, J.)**

