

10.
27.6.2023
S.D.

W.P.A. 13992 of 2023

**Firoja Khatun
Vs.
The State of West Bengal & Ors.**

Ms. Jeenia Rudra
Mr. Bhaskar Roy
Ms. Megha Chanda

..For the Petitioner

Mr. Samim Ul Bari
Ms. Indrani Nandi

...For the State

The petitioner applied for recruitment as a Lady Constable in OBC-A category pursuant to Recruitment Notification dated December 1, 2017 issued by the West Bengal Police Recruitment Board. The petitioner's grievance is that despite qualifying in the written test when she was called for the interview she was unable to produce her OBC Certificate and, therefore, not recommended to be included in the panel of the selected candidates.

Challenging such infirmity in the recruitment procedure, the petitioner has filed the present writ petition.

Mr. Bari, learned counsel appearing on behalf of the State submits that the subject matter of the writ petition is clearly within the purview of the Administrative Tribunals

Act, 1985. The petitioner has applied for recruitment in the West Bengal Police Service and, therefore, should have approached the learned Tribunal at the first instance, for agitation of her grievance.

Considering the submissions of the parties and the materials placed on record, this Court is of the view that the subject matter of the writ petition is within the purview of the Administrative Tribunals Act, 1985. Therefore, this Court lacks the jurisdiction to receive try and entertain the writ petition at the first instance.

In the circumstances, **W.P.A. 13992 of 2023 is dismissed.**

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

This Court makes it clear that it has not gone into the merits of the writ petition.

Liberty is given to the petitioner to approach the appropriate forum, if so advised.

All parties shall act on the server copy of this order duly downloaded from the official **website** of this Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all the formalities.

(Lapita Banerji, J.)