

He further contends that rank of the last enrolled candidate for Binpur-II Block was 249 whereas ranks of petitioner nos. 1, 2 & 3 were 253, 262 and 251. He argues that the petitioner preferred a writ petition vide. W.P. no. 20996(W) of 2017 which was disposed of by directing the petitioner to file a comprehensive representation before the concerned respondent who was directed to dispose of such representation by passing a reasoned order but the respondent no.4 by passing a cryptic order negated the claim of the petitioners. He submits that the order passed by the respondent no.4 is liable to be cancelled and necessary direction may be given upon the respondent no.4 to reconsider the case of the petitioners and to enroll the petitioners as WBNVF Volunteers.

Mr. Guha vehemently denies and disputes the contention of Mr. Ghosh. He asserts that no candidate getting lower marks than the petitioners has been enrolled and he submits that the merit list has been cancelled immediately after filling up the posts. He submits that the entire selection process have been completed and now, situation of Jungle Mahal Area has been changed and now, there is no policy decision to enroll further candidates in that area and hence, there is no scope of enrolment of the petitioners as WBNVF Volunteers.

Heard the learned advocates appearing for the parties and perused the materials on record.

Records reveal that the respondents initiated a selection procedure to enroll WBNVF Volunteers in respect of Binpur I Block and Binpur II Blocks of District-Paschim Medinipur and the allotted quota for Binpur-I and II Blocks were 226 and 230 respectively as would be explicit from the notification dated 18th September, 2011 issued by the Assistant Secretary to the Government of West Bengal, Department of Civic Defence.

By giving three separate letters, the State Commandant, WBNVF informed the petitioners that, one Vombal Mondal, whose name appeared against Sl. No. 249 in the merit list prepared for Binpur-II Block was enrolled as the last candidate and names of the petitioner nos. 1, 2 and 3 appeared against sl. Nos. 253, 262 and 251 in the merit list whereas one Amit Ghosh whose name appeared against serial no. 257 in the merit list prepared for Binpur-I Block was the last enrolled candidate and the name of the petitioner no. 4 found its place against serial no. 259 in the merit list.

Since the petitioners had not been enrolled as WBNVF Volunteers, they preferred a writ petition vide. W.P. no. 20996(W) of 2017 which was disposed of on 8.9.2017 by Dr. Sambuddha Chakraborty J. (as His Lordship then was) giving liberty to the petitioners to make a comprehensive representation ventilating their grievances to the concerned respondent who was directed

to dispose of the same by a reasoned order and communicated the said order.

In compliance with the order dated 8.9.2017 , the respondent no.4 passed a reasoned order contending, inter alia, that considering the law and order situation prevailing in the Jangalmahal Areas of Paschim Medinipur, Bankura & Purulia in 2011-12, decision was taken to enroll WBNVF Volunteers and the allotted quota of 226 and 230 candidates for Binpur-I and Binpur-II Blocks have been filled up and the candidates securing ranks of 257 and 249 in the merit lists prepared for Binpur-I and II Blocks respectively had been enrolled and the merit list has been cancelled. Presently, the situation of Jungle Mahal area is comparatively peaceful and there is no decision to enroll further WBNVF Volunteers for that area. I do not find any infirmity in the approach and decision of the respondent no.4.

The petitioner could not produce any scrap of paper to show that any person getting lower marks than the petitioners has been enrolled. Selection process was initiated in 2011 and the merit lists prepared for Binpur-I and II Blocks have expired. The Government of West Bengal has taken policy decision not to enroll any further WBNVF Volunteers for the aforesaid blocks.

In view of such sequence of facts, the scope of jurisdictional review cannot be extended to such extent to

direct the respondent authorities to revive the merit list, which has already been expired and to enroll further candidates as WBNVF Volunteers. Suffice it to note that the policy decision of the Government is not amenable to the writ jurisdiction.

In view thereof, no interference is called for in the writ petition. Consequently, the same is dismissed.

There shall, however, be no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Partha Sarathi Chatterjee, J.)