

09.02.2023

m/l no.78

SS

In the High Court at Calcutta

Constitutional Writ Jurisdiction

Appellate Side

**W.P.A. 20767 of 2021**

**Rishikesh Kumar**

**Vs.**

**The State of West Bengal & Ors.**

Mr. Abhishek Prasad

Mr. Sougato Mitra

Ms. Subhasri Chatterjee

... for the petitioner

Mr. Jahar Datta

Mr. Bipin Ghosh

... for the State

The petitioner participated in a recruitment process initiated by the West Bengal Municipal Service Commission vide Advertisement No.16 of 2020 for the post of District Manager (equivalent to the post of Assistant General Manager). The petitioner appeared in the written test as well as the personality test.

The petitioner submits that a panel has been published by the Commission and alleges that the said panel has not been prepared in accordance with the conditions mentioned in the advertisement.

The petitioner filed representation before the Secretary, West Bengal Municipal Service Commission and alleges that the same has not been taken up for consideration till date.

I have perused the representation filed by the writ petitioner before the West Bengal Municipal Service Commission.

It appears that the illegality alleged of at the time of preparation of the panel is not clearly mentioned in the said representation. Apart from making bald allegation that candidates having less experience have been selected, there is no detail mentioned in the representation.

The person(s) whom the petitioner alleges to have been placed in the merit panel are not impleaded as parties in the present writ petition.

In view of the above, the present writ petition stands disposed of by granting liberty to the petitioner to file appropriate representation before the concerned authority highlighting the details of any illegality which may have been committed at the time of preparation of the panel.

In the event such a representation is made, the same shall be considered and disposed by the respondent authority, in accordance with law by passing a reasoned order.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

**(Amrita Sinha, J.)**