

Item -8. 18-12-2023

MAT 1693 of 2023  
CAN 1 of 2023

sg Ct. 8

Mukul Mandal  
Versus  
West Bengal College Service Commission & Ors.

Mr. Ekramul Bari, Adv.  
Mr. Suranjit Ghosh, Adv.  
Mr. Bhaskar Duttagupta, Adv.  
Mr. Salauddin Ahmed, Adv.  
...for the appellant  
Mr. Pulak Ranjan Mondal, Adv.  
Ms. Bandana Mondal, Adv.  
Mr. Subhrangsu Panda, Adv.  
...for the W.B.C.S.C.

1. The appellant is aggrieved by the order dated 2<sup>nd</sup> August, 2023 passed in connection with a writ petition, in which the appellant has prayed for recasting of the Provisional Merit Panel for General Degree Colleges published by the West Bengal College Service Commission on the basis of the educational qualification and after giving due weightage to the non-fictional books.
2. In terms of an earlier order, the College Service Commission produced the score sheet of the last empanelled candidates and that of the last recommended candidate. It appears from the record that the last empanelled candidate scored 44.08 marks and the last recommended candidate scored 49.35 marks in the particular recruitment year for the relevant post. Admittedly, the petitioner scored 41.92 marks.
3. Mr. Ekramul Bari, learned Counsel for the appellant has submitted that the petitioner has completed Ph.D. and had published many works. However, only one mark was

allotted to his published papers, despite submitting four papers.

4. The learned Single Judge in arriving at a conclusion, had taken into consideration the said fact and concluded that even if it is assumed that he would be entitled to marks for his publication, even then he would not be eligible as the last recommended candidate scored 49.35 marks.
5. On such consideration, we do not find any reason to interfere with the order passed by the learned Single Judge.
6. The appeal and the application stand dismissed. However, there shall be no order as to costs.
7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Uday Kumar, J.)**

**(Soumen Sen, J.)**