

DL-9

22.08.2023
Court No.5
(AD)

WP.ST 295 of 2011
With
IA No.: CAN 1 of 2012 (Old No.: CAN 3974 of 2012)
Prasenjit Mahanta & Ors.
Vs.
State of West Bengal & Ors.

Mr. Suman Basu

... for the petitioners.

Mr. Somnath Ganguli, Ld. AGP

Mr. Sukalpa Seal

... for the State.

The writ petition is directed against an order dated November 15, 2010 passed by the West Bengal Administrative Tribunal in OA-1709 of 2009.

The writ petitioners complained of irregularities in the selection process of police constables.

The allegations although were vague in nature and without any documentary evidence, was, however, directed to be enquired into by a high powered committee.

Initially, one enquiry was conducted by a police official. Thereafter, a high powered committee was constituted by the police in order to enquire into the allegations. The writ petitioners were called by the high powered committee and their grievances were noted by the high powered committee. The high powered committee took into account the candidates and their performance and records maintained in the selection

process. The high powered committee submitted a report dated November 11, 2008.

The high powered committee consisted of Inspector General of Police (North Bengal Region), Inspector General of Police (Railways) and Additional Director General of Police, EB,

The high powered committee recommended that three candidates should be asked to reappear in the physical eligibility test in order to clear the doubt over their selection. They identified the three candidates in their report. The high powered committee recommended that so far as the remaining 52 candidates were concerned, they may be allowed to join their services. The high powered committee recommended action being taken as against one of the police personnel involved in the selection process.

The Tribunal considered the report of the high powered committee. The Tribunal also considered the nature of allegations made by the writ petitioners in respect of the selection process. The Tribunal found that, the high powered committee took into account various factors including the grievances of the writ petitioners and arrived at a finding which was not demonstrated to be perverse.

The selection process is of 2008. The writ petition was filed in 2009. It was disposed of in 2010. The present writ petition is pending since 2011.

The passage of time allowed certain elements to settle down. 52 candidates were appointed. It would be inappropriate to disturb their appointments at this late stage on the basis of the nature of allegations levelled and given the fact that, there was a detailed enquiry made into the allegations of the writ petitioners.

In such circumstances, we find no ground to interfere with the impugned order of the Tribunal.

WP.ST 295 of 2011 along with **IA No.: CAN 1 of 2012 (Old No.: CAN 3974 of 2012)** is dismissed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

