

04.12.2023.
Court No.13
Item No. 2
ap

W.P.A. No. 24919 of 2023

**Farina Sultana
Versus
The West Bengal State Electricity Distribution
Company Limited & Ors.**

Sk. Rejaul Alam.

...For the petitioner.

Mr. Sujit Sankar Koley.

...For the WBSEDCL.

Mr. Sandip Kundu.

...For the respondent nos.4 to 7.

1. Affidavit-of-service filed in Court today be taken on record.

2. The petitioner is aggrieved by a recruitment process to the post of Sub-Assistant Engineer in West Bengal State Electricity Distribution Company Limited for the year 2013.

3. It appears that by an order dated 9th March, 2021 passed in W.P.A. No. 6696 of 2016 (Sk. Md. Nuruzzaman – Vs. – The State of West Bengal & Ors.), this Court had interfered and set aside the appointments of two persons from OBC-“B” Category to the post of Nirman Sahayak, who were engaged in the post reserved for OBC-“A” Category.

4. The petitioner seeks to have drawn inspiration from the said decision which albeit was interfered with by a Division Bench of this Court but was ultimately upheld and restored by the Hon’ble Supreme Court of

India in Special Leave to Appeal (C) No. 4896 of 2022 by an order dated 9th May, 2022.

5. The subject matter of recruitment in this post is completely different in the instant case. The post in question is that the Sub-Assistant Engineer, whereas in Md. Nuruzzaman's case (supra), the post was that of Nirman Sahayak.

6. This Court is of the view that it would be grossly inappropriate to permit the writ petitioner to challenge and reopen the recruitment process of the year 2013 in the year 2023.

7. In view of the above, no relief can be granted to the petitioner in this writ petition.

8. The instant writ petition is disposed of without any orders.

9. There will be no order as to costs.

10. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)