

WP.ST. 178 of 2023

(Biswajit Hazra & Ors. Vs. The State of
West Bengal & Ors.)

Mr. Dyutiman Banerjee
Mr. Vishal Mallick

..... For the petitioners

Mr. Tapan Kumar Mukherjee, Ld. AGP
..... For the State

Ms. Shraboni Sarkar
..... For the P.S.C.

The present writ petition has been preferred *inter alia* praying for an order to stay the declaration of results of the examination held in terms of Advertisement No. 5 of 2020 notified by the Public Service Commission for recruitment to the posts of Instructors in different Government Industrial Training Institutes, till the pendency of the original application being O.A. No. 60 of 2020.

Mr. Banerjee, learned advocate appearing for the petitioners submits that in the event the results are declared, the petitioners would suffer extreme prejudice moreso when the learned Tribunal is also not in a position to decide the original application expeditiously in spite of a direction to that effect issued by a coordinate Bench of this Court in a writ petition being WPST 72 of 2021 on 15th September, 2021.

Records reveal that challenging *inter alia* the selection process for appointment to the posts of Instructors in various Government Industrial Training Institutes, the

petitioners along with the *proforma* respondents herein preferred an original application being O.A. No. 60 of 2020 in which an order was passed on 13th February, 2020 observing *inter alia* that '*no interim order is passed save and except the action taken by the authority shall abide by the result of the application.*' Challenging the said order the petitioners approached this Court by filing a writ petition being WPST 72 of 2021 which was disposed of by an order dated 15th September, 2021 refusing the petitioners prayer for interim orders to restrain the respondents from declaring the final results and from filling up the posts.

Ms. Sarkar, learned advocate appearing for the Public Service Commission submits that after scrutiny of the applications of the candidates, who participated in the selection process, a list has already been published on 24th November, 2023. The petitioners herein did not secure the cut off marks and as such, their names have not been included in the said list.

In view of the earlier order dated 15th September, 2021 passed in the writ petition being WPST 72 of 2021 and as the petitioners have not secured the cut off marks, the relief, as prayed for in this application is refused and the writ petition being **WP.ST. 178 of 2023** is dismissed.

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

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Gaurang Kanth, J.)

(Tapabrata Chakraborty, J.)