

DL-29

04.07.2023  
Court No.5  
(AD)

**WP.ST 284 of 2014**

**Smt. Sudeshna Chakraborti  
Vs.  
The State of West Bengal & Ors.**

*Mr. Dipanjan Datta  
Mr. Sayan Datta  
Mr. Subhajit Chowdhury*

*... for the petitioner.*

*Mr. Biswabrata Basu Mallick, Ld. AGP  
Mr. Sayan Ganguly*

*... for the State.*

Petitioner is aggrieved by an order dated September 9, 2014 passed in OA-885 of 2014.

By the impugned order, request of the petitioner to issue a direction upon the authorities to accept the photocopy of the admit card in place of the original admit card for the purpose of scrutiny in the finalization of the matter of issuance of appointment letter was negated.

Learned Advocate appearing for the writ petitioner submits that, the writ petitioner participated in a selection process. She was empanelled. There was an advertisement issued pursuant to an order passed by the High Court. Petitioner responded to advertisement in the selection process. When the petitioner went in response to such advertisement, she was informed that since she was not carrying original admit card her

candidature cannot be considered. Consequently, the petitioner approached the Tribunal when the impugned order was passed.

Copies of affidavit-in-opposition of the State be taken on record.

Learned Advocate appearing for the petitioner submits that, the State served a copy of such affidavit to his client.

Learned Advocate appearing for the State submits that, the candidature of the writ petitioner cannot be considered on two counts. Firstly, the advertisement issued pursuant to the order of the High Court, required production of admit card in original which the writ petitioner failed. Moreover, he submits that, as against the declared vacancies, in the general category, serial no.1 to 204 were given appointment. The last candidate given appointment is 204 in the general category. The writ petitioner was placed at serial No.276. Therefore, the writ petitioner was not entitled to grant of an appointment.

We find merit in the second contention of the State. Without entering into the arena as to whether or not a candidate can be denied her candidature purely on the ground of absence of the original admit card when apparently there was no dispute as to the identity of the candidature, we find that, the writ petitioner was placed as serial no.276 in the panel. The writ petitioner was a

general category candidate. The last person given appointment from such panel was serial No.204. Therefore, the writ petitioner was not within the zone of consideration and was not denied an appointment arbitrarily or wrongfully.

In such circumstances, we find no merit in the present writ petition.

**WP.ST 284 of 2014** is dismissed without any order as costs.

**(Debangsu Basak, J.)**

**(Rai Chattopadhyay, J.)**

