

30.04.2024
Court No.13
Item Nos.161 & 162
AP

WPA 3462 of 2023
Syed Anowar Sharif
Vs.
The State of West Bengal and Ors.

With

WPA 3465 of 2023
Tarak Nath Saha
Vs.
The State of West Bengal and Ors.

Mr. D. Saha
Mr. Moniruzzaman

.... For the Petitioner in all the matters.

Mr. Tapan Kumar Mukherjee
Mr. Somnath Naskar

.... For the State in WPA 3462 of 2023.

Ms. Tuli Sinha

.... For the State in WPA 3465 of 2023.

Mr. Victor Dutta

.... For the DPRDO/State in all the matters.

1. This Court has heard this matter over several days. Several reports have been received from the State. The petitioner has filed exceptions to each of the records.

2. Today a contradiction is sought to be canvassed between the report of the DPRDO dated 8th January, 2024 and 5th October 2023. In substance what is submitted is that if there are unfilled vacancies in the unreserved category the same should have been filled up from other categories.

3. This Court has not found any of the reports of the DPRDO unacceptable. The recruitment process is rather complicated.

4. The error, which this Court find in the submission of the counsel for the petitioner is that an unfilled post in a reserved category cannot be filled up from other categories. The said vacancies in the reserved category are required to be carried forward to the next recruitment process in terms of the settled law.

5. In the above circumstances, this Court is of the view that the petitioner has not been able to demonstrate with certainty any glaring illegalities in the recruitment process conducted by the DPRDO, Birbhum for the year 2017.

6. The writ petitions fail and are hereby dismissed.

7. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)