

25.06.2024
Court No.13
Item No.11
AP

WPA 8387 of 2024

Samsur Jaman Akhan

Vs.

The State of West Bengal and Ors.

Mr. Chittapriya Ghosh

Mr. Somesh Ghosh

... For the Petitioner.

Mr. Shamimul Bari

... For the State.

Mr. Bhaskar Prosad Vaisya

Mr. Ranjan Saha

... For the DPSC, South 24-Parganas.

1. Learned counsel for the DPSC, South 24-Parganas, has produced the instructions dated 13th June, 2024 issued by the Chairman, DPSC, South 24-Parganas and the same is taken on record.

2. It appears that the petitioner Samsur Jaman Akhan did not produce the documents for verification on the date of scrutiny. There is some doubt as to whether the petitioner at all appeared on the said date before the DPSC, South 24-Parganas. The Chairman, DPSC, South 24-Parganas on the instruction dated 13th June, 2024 in all fairness and propriety, has instructed in writing dated 13th June, 2024 that if the petitioner produces documents even today for scrutiny, the same shall be considered by the DPSC, South 24-Parganas.

3. Admittedly, the petitioner applied as an OBC-A candidate. The petitioner's father has an OBC-A certificate. The petitioner's certificate was issued,

however, six months after the publication of the recruitment notification.

4. This Court is of the view that the petitioner should be treated as an 'OBC-A' candidate notwithstanding the fact that his certificate is dated 31st March, 2010 six months after the publication of the recruitment notification.

5. In view of the above, this Court directs the petitioner to visit the Chairman, DPSC, South 24-Parganas on 28th June, 2024 at 2 pm along with all his testimonials and documents for scrutiny.

6. If satisfied, Chairman, DPSC, South 24-Parganas shall issue necessary appointment to the petitioner immediately thereafter.

7. The instructions of Chairman DPSC South 24 Parganas dated 13th June, 2024 are kept with the record.

8. With the aforesaid direction, the writ petition is disposed of.

9. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)