

03.05.2024.
Court No.13
Item No. 69
pk

W.P.A. 9714 of 2024

**Saha Shreya SanjoykKumar @ Shreya Sanjay
Kumar Saha
Versus
The State of West Bengal & Ors.**

Mr. Debasish Kundu

...For the petitioner.

Mr. Vimal Kumar Shahi,
Mrs. Diotima Shresthaa Ghosh

...For the State.

1. Affidavit of service filed in Court is taken on record.
2. The writ petition has been filed challenging rejection of the petitioner's candidature in the post of dental surgeon advertised by the West Bengal Health Recruitment Board. The writ petition is entertained notwithstanding the requirement of the petitioner to approach the State Administrative Tribunal. Since the Tribunal is functioning with only one administrative member. Matter are merely being adjourned thereat.
3. The writ petitioner's grievance is that although the documents, showing that he belongs to SC category, have been issued by the concerned authority in Thane in Maharashtra, the recruitment notice prescribed that the reservation certificate of a candidate must be issued by the authority within the State of West Bengal.
4. This Court would have permitted the petitioner to join the post in which she succeeded given the fact that she has a SC certificate issued by the authority,

Maharashtra and based on the SC certificate of her father issued by the SDO, Basirhat.

5. However, it appears that the petitioner has applied under another recruitment notice issued by the West Bengal Health Recruitment Board for the post of dental surgeon cum clinical tutor in the UR category.

6. This Court is unable to grant relief to the petitioner in the instant proceeding. The petitioner is deemed to have waived her right in respect of earlier recruitment process and acquiesced to the rejection of her candidature by the respondents dated 14.03.2023.

7. The writ petition is dismissed.

8. There will be no order as to costs.

9. 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.)