

01.05.2024
Item No. 3
Ct. No. 238
AKG

WPA 9757 of 2024

**Marshal Saren & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Binay Kr. Panda, Mr. Raju Mondal, Mr. Subham Kanti Bhakat	...for the Petitioner
Mr. Swapan Kr. Datta, Mr. Rajat Dutta	...for the State
Mr. Pulak Ranjan Mandal, Mrs. Bandana Mandal, Mr. Subhrangsu Panda	...for WBCSC

The petitioners complain that some successful candidates of the West Bengal College Service Commission Examination, held in the year 2020, were appointed under the Scheduled Tribe category though they do not belong to that category.

Those selected candidates have not been made parties to this writ petition. The petitioners, however, have disclosed the names of four selected candidates in paragraph 10 of the writ petition.

The petitioners submit that the surnames of the said candidates suggest that they do not belong to the Scheduled Tribe category and therefore, their appointments should be declared as illegal.

It is the further grievance of the petitioner that they made an application before the West Bengal College Service Commission under Right To Information Act, 2005, as appearing in page no. 53 of the writ petition. No response has been made to such application.

Mr. Mandal, learned advocate appearing on behalf of the West Bengal College Service Commission submits that the said four selected candidates produced their Scheduled Tribe certificates issued by the competent authority. On the strength of the said certificates, their candidatures were considered by the commission.

Let the copies of those Certificates be made over to the learned advocate appearing for the petitioners in course of this day.

It appears that the appointments of the selected candidates were based on the Scheduled Tribe Certificate issued by the competent authority. Accordingly, this Court is not inclined to entertain this writ petition.

However, I grant liberty upon the petitioners to question the genuinity of the Scheduled Tribe

Certificate before the appropriate authority in accordance with law.

WPA 9757 of 2024 is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)