

ML 181
23.08.2024
Ct. No. 18
adeb

W.P.A. 11389 of 2023

**Abdur Rajjak & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Samiran Mondal
Mr. S.C. Dhara
..... for the petitioner

Mr. Bhaskar Prasad Vaisya
Mr. Arindam Chattopadhyay
... for the State

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
...for the WBCSSC

Today, at the time of call accommodation has been prayed for on behalf of the petitioners and the same is refused since the writ petition was heard yesterday, 22nd August, 2024 and the matter has been fixed today for further consideration.

Matter relates to appraisal of respective candidature of the petitioners who participated in 1st Regional Level Selection Test 2016 (Upper Primary). It has been submitted by the learned advocate representing the petitioners that the petitioners participated in the aforesaid selection process and subsequently uploaded their testimonials when West Bengal Central School Service Commission initiated the selection process from Rule 12(2) stage in terms of the order of the Hon'ble Court. It is also submitted that petitioners appeared before the Grievance Committee

since petitioners were not found eligible by the Commission for participating in the interview. Some of the petitioners raised grievance before the Grievance Committee of the West Bengal Central School Service Commission and two orders one dated 14th September, 2021 and another dated 28th September, 2021 which are at pages 230 and 239 of the writ petition are considered wherefrom it appears that on identical reason both the petitioners were not permitted to participate in the interview since the marks which were awarded to the petitioners were found to be less than the cut off marks. However, it has been rightly pointed out by the learned advocate representing the Commission that the particulars of all the 61 petitioners have not been disclosed in this writ petition. Therefore, consideration of the respective right of the petitioners while deciding this writ petition is not possible.

No plausible explanation has been put forth as to why 61 candidates have approached this Court jointly by presenting this writ petition since cause of action in connection with each petitioner is different. Petitioners ought to have approached this Court by filing separate writ petitions.

In view of aforesaid shortcomings no relief can be granted to the petitioners and accordingly the writ petition stands dismissed.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)