

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 13346 of 2023

4 No. Kantirpa Swarna Jayanti Mahiladal
represented by Rabia Khatun & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Anjan Bhattacharya
... For the petitioner

Mr. Gourav Das
... For the State

On prayer of Mr. Gourav Das, learned State counsel, appearing for the respondent nos.1 to 5, time to file report in the form of an affidavit stands extended and the report in the form of an affidavit filed today is taken on record. Copy has been served.

The decision impugned in this writ petition is dated **May 30, 2023** passed by the respondent no.3, **Annexure "P-6" at page 54** to the writ petition, in the form of a reasoned order.

The petitioner has challenged the selection process for **Self Help Group** at the relevant Madrasah. The petitioner was not selected on the basis of overall performance and the decision of the Screening Committee was upheld by the respondent no.3.

Mr. Anjan Bhattacharya, learned counsel, appears for the petitioner. He submits that the impugned order is bad in law and cannot sustain in law.

Mr. Gourav Das, learned State counsel, referring to **Annexure “R-1” at page 5** to the said report, submits that the notification for selection dated **July 15, 2015**, inter alia, spoke for a stipulation that an overall performance of the candidature shall be considered.

He submits that the respondent no.3 while deciding the issue on the basis of all the materials available before him has considered the said overall performance and found that the petitioner was not eligible and the candidates who are selected had a better overall performance on record.

Considering the rival contentions of the parties and considering the materials on record and on a scrutiny of the impugned order of the respondent no.3, it appears to this Court that, the respondent no.3 while passing the order had considered the materials available before it and thereafter caused a detailed fact-finding inquiry with regard to the performance ability of the candidates including the petitioner and then came to its conclusion that the petitioner has not qualified insofar as the **overall performance** was concerned.

This Court finds no infirmity in the said reasoned order passed by the respondent no.3 dated **May 30, 2023** and accordingly the same stands **affirmed**.

The writ petition, **WPA 13346 of 2023**, being devoid of any merit, stands **dismissed**, without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Aniruddha Roy, J.)