

27.02.2024
Court No.13
Item No.122
AP

WPA 16114 of 2023

Jofirul Mollick
Vs.
The State of West Bengal and Ors.

Mr. Dibyendu Chatterjee
Mr. Pritam Majumdar
Mr. Rahul Deb Goenka
Ms. Satabdi Das
Mr. Mainak Singha Barma

... For the Petitioner.

Mr. Supriya Chattopadhyay
Ms. Tapati Samanta

... For the State.

Mr. B.P. Vaisya
Mr. Ranjan Saha
Mr. Gourav Das

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

1. Report in the form of affidavit has been filed by the Chairman, South 24-Parganas District Primary School Council and the same is taken on record.

2. It appears that the writ petitioner participated in the recruitment process pursuant to an advertisement in the year 2009 as a general candidate. He was issued admit card as a general candidate. His online bio-data is also as a general candidate.

3. The writ petitioner obtained OBC A certificate on 4th November, 2010 after the examination process.

4. In that view of the matter, the writ petitioner cannot be treated now as an OBC A category candidate for the recruitment process for the year 2009. The delay

in publication of the results and the subsequent events cannot confer any right on the writ petitioner as an OBC A candidate in so far as this recruitment process is concerned. Hence, the argument of the learned counsel for the writ petitioner that his client secured more marks than the last OBC A candidate is not relevant in the facts and circumstances of the case. The writ petitioner's marks must be reckoned only in the unreserved category.

5. With the aforesaid observations, the writ petition is disposed of without any order.

6. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)