

18.09.2024

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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 19950 of 2024

**Regional Optometrists and Ophthalmic Society
-Vs-
The State of West Bengal & Ors.**

Mr. K. M. Hossain,
Mr. Kartik Kumar Ray,
Mr. Kazi Ardan Ali

... for the petitioner

Mr. Swapan Kumar Datta,
Mr. Rajat Duta

... for the State

The writ petition on being mentioned citing the urgency has been brought into the list.

After hearing the petitioner and considering the nature of dispute, I find that members of a Society through its General Secretary are challenging a recruitment process, the notice whereof was published on 23rd August, 2023 inviting applications for appointment to the post of Medical Technologist (Optometry), Grade-III in the West Bengal Health Recruitment Board. The recruitment process relates to appointment in a civil post under the Government of West Bengal. In view of the provisions of Section 15 read with Section 28 of the Administrative Tribunals

Act, 1985, the forum available to the members of the petitioner's Society to ventilate their grievances, if any, is the competent Administrative Tribunal constituted under the Administrative Tribunals Act, 1985.

In the aforesaid facts and circumstances, the writ petition is dismissed on the ground of available alternative statutory remedy with a liberty to file a fresh before the appropriate forum, if the petitioners are otherwise entitled to in law. The time spent between 6th August, 2024 being the date of filing of the writ petition and today (18.09.2024) shall be construed as time spent in prosecuting a litigation bona fide before a Court without jurisdiction.

(Arindam Mukherjee, J.)