

17.01.2024
Sl. No.17
Suman
Ct.No.238.

WPA 19435 of 2023

Sudipta Pal and Ors.
Vs.
Visva-Bharati & Ors.

Mr. Anjan Bhattacharya
Ms. Anita Shaw
..for the petitioners

Mr. Indrajeet Dasgupta
Mr. Shaunak Ghosh
..for the respondents

The petitioners are working as “Multi Task Staff” at Visva-Bharati University on temporary basis.

It is the grievance of the petitioners that a recruitment procedure was carried out by the university to fill up the permanent posts of “Multi Task Staff”. The petitioners submit that the university authority should have allowed them to participate in the selection process condoning their age bar in view of the long service rendered by them on temporary basis.

It appears that the advertisement for the relevant recruitment was published on April 17, 2023 and the selection process was completed on September 12, 2023. It has been submitted by the university that

appointment letters have been issued in respect of 405 candidates on September 14, 2023 and September 15, 2023.

Despite being sympathetic to the petitioners, no relief can be granted in their favour. Admittedly, all the petitioners are age barred under the relevant recruitment rules, and there was no provision for condonation of age bar. Therefore, the university authority could not have accepted the candidature of the petitioners. Though a writ court on equitable consideration, in view of the past service rendered by a temporary employee may condone his age bar to participate in a regular recruitment process, the same cannot be done by a statutory authority who is expected to act in terms of the relevant recruitment rules only. The petitioners should have approached this Court before the selection process started for condonation of their age bar. Their age bar cannot be condoned after the selection process is over.

Accordingly, **WPA 19435 of 2023** is **dismissed**.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Kausik Chanda, J.)

