

**WPA 19291 of 2019
With
CAN 3/2024 & CAN 4/2024**

**Smt. Sukla Sikder
Vs.
The State of West Bengal & Ors.**

Mr. Nilanjan Bhattacharjee,
Mr. Ajit Kumar Mishra,
Mr. Abhishek Dey,
Mr. Suprovat Banerjee,
Mr. Kushagra Maskara

...for the Petitioner

Mr. Pulak Ranjan Mandal,
Ms. Bandana Mandal,
Mr. Subhrangsu Panda

...for W.B.C.S.C.

Mr. Swapan Kr. Datta,
Ms. Soumi Guha Thakurata

...for the State

In Re : CAN 4/2024

This is an application for condonation of delay in filing the application for restoration. It appears that there has been a delay of 348 days in filing the restoration application.

Having regard to the averments made in paragraphs 3, 4 and 5 of the application, I am of the view that the petitioner has shown sufficient cause for such delay.

Accordingly, CAN 4 of 2024 is allowed.

In Re : CAN 3/2024

Having regard to the averments made in paragraph nos. 3 and 4 of this restoration application, I am of the view that the petitioner has sufficiently explained the reason for her non-appearance before this Court on February 7, 2023.

Accordingly, CAN 3 of 2024 stands allowed and WPA 19291 of 2019 is restored to its original file and number.

In Re : WPA 19291 of 2019

The petitioner challenges the appointment of respondent no. 7 as an Assistant Professor of Anthropology at Bangabasi Evening College who was successful in the selection process conducted by the West Bengal College Service Commission following an advertisement published in the year 2018.

The petitioner was also an aspirant for the post of Assistant Professor of Anthropology. She was, however, not successful in the said selection process.

Mr. Nilanjan Bhattacharjee, learned advocate appearing for the petitioner contends that respondent no. 7 is a domicile of the State of Jharkhand, which is apparent from his Voter Identity Card. Mr. Bhattacharjee submits that the petitioner being a resident of Jharkhand could not have procured an “OBC (B) Certificate” from the State of West Bengal.

It is apparent that the College Service Commission considered respondent no. 7 as an OBC (B) candidate based on the certificate issued by the office of Sub-Divisional Officer, Sadar, Purulia.

The certificate has not been cancelled or withdrawn by the competent authority and as such, the College Service Commission was bound to take into consideration the said

certificate.

In that view of the matter, I do not find any illegality in the act of College Service Commission in recommending the name of respondent no. 7 for the relevant post.

Accordingly, **WPA 19291 of 2019** is dismissed.

The dismissal of this writ petition, however, shall not prevent the petitioner to challenge the “OBC (B)” certificate of respondent no. 7 before the proper forum in accordance with law.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)