

September 25, 2024
Sl. No.22
Court No.9
s.biswas

WPA 23237 of 2024

Aksad Rahaman
vs.
The State of West Bengal and others

Ms. Shabana Hasin

... for the petitioner

Mr. Gausul Alam

Mr. Himangshu Ghosh

... for the State

1. The objection raised by the Sub-Divisional Officer, Jangipur with regard to the order of the High Court by which the OBC certificate had been struck down, is not relevant for the purpose of disposal of the writ petition. If the central government i.e. the recruiting authority is of the view that the order of the High Court would debar the petitioner from relying on the certificate, the authority can independently take steps and decide the matter.
2. This writ petition is limited to the claim of the petitioner for a non-creamy layer certificate, which has not been granted by the Sub-Divisional Officer. In order to enable the petitioner to be appointed as Gramin Dak Sebak, such certificate is necessary. The Sub-Divisional Officer, Jangipur shall decide the matter and issue necessary certificate within a week from the date of communication of this order, as the petitioner

categorically submits that the petitioner's family income is not more than Rs.1 lakh. The petitioner has produced a certificate from the Chairman, Jangipur Municipality and submits that the petitioner's father works as mason and his income is not more than Rs.72,000/- per annum. If the authority cannot grant such certificate, the reasons shall be disclosed.

3. The written instruction and the supplementary affidavit are taken on record. No coercive steps shall be taken against the petitioner for a period of 15 days, on the ground of non-furnishing of this certificate.
4. Accordingly, the writ petition is disposed of.
5. All parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)