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Ct No.02
24.07.2024
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Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

WPA No. 824 of 2024

Manoj Kumar Saha
-vs-
The State of W.B. & ors.

Mr. Arnab Saha

...for the petitioner
Mr. Subir Kumar Saha, Ld. AGP
Ms. Bedashruti Bose
...for the State
Mr. Bikramaditya Ghosh
...for the respondent nos. 6 & 7

Affidavit of service filed on behalf of the
petitioner is taken on record.

Despite service, no one appears on behalf of
the DPSC Jalpaiguri/ respondent no.5.

Learned counsel appearing on behalf of the
petitioner submits as follows. The petitioner was a
candidate in a recruitment process that was initiated
in the year 2009-2010. The petitioner was
constrained to approach this Court on a number of
occasions because of certain anomalies that had
occasioned. In the meantime, by an order dated
11.03.2022 passed by a Co-ordinate Bench of this
Court in WPA 30 of 2022, the DPSC, Alipurduar was
directed to consider a fresh representation to be

made by the petitioner in this regard. The same was made, but it could not be finally considered by the concerned DPSC allegedly because of the fact that certain relevant documents were lying with the DPSC, Jalpaiguri. In spite of contacting the DPSC, Jalpaiguri, they did not cooperate. The petitioner was compelled to file a contempt petition. On 31.01.2024, this Court disposed of the contempt application by granting liberty to the petitioner to initiate an appropriate proceeding against the DPSC, Jalpaiguri. Accordingly, the present writ petition has been filed. But, even today despite service, the DPSC Jalpaiguri is not represented.

Learned counsel appearing on behalf of the DPSC, Alipurduar submits that, on their part, they had taken all steps. It was inaction if at all from the side of the DPSC, Jalpaiguri that prevented a final decision being taken in this regard as per Court's order.

As certain relevant documents are reportedly available with the DPSC, Jalpaiguri, the said respondent no.5 is directed to transmit the records of the same to the DPSC, Alipurduar at the earliest positively within three weeks from the date of communication of this order so that the DPSC, Alipurduar can take an appropriate decision thereafter, preferably within three weeks therefrom.

The decision shall be communicated to the petitioner within a week thereafter.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)