

0505
2025

MONDAY

Court : CB-07
Item : DL-05
Bench : SINGLE
Matter : WPA
Status : DISMISSED
ID : 266057
AR : NANDY

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 4572 OF 2020

SHEMIM REJA
VS.

THE STATE OF WEST BENGAL & ORS.

MR. SAGNIK BHATTACHARYA, ADVOCATE

.....for the Petitioner

MR. SOUMEN KUMAR DATTA, ADVOCATE

MR. SUBHAM DATTA, ADVOCATE

MS. JUTHIKA BARMAN, ADVOCATE

.....for the Private Respondent

MR. T.M. SIDDIQUI, SR. ADVOCATE

MR. TARAK KARAN, ADVOCATE

MR. SUDDHADEB ADAK, ADVOCATE

.....for the State

1. The present writ-petition has been filed challenging the legality of the appointment of the private respondent in the post of Muslim Marriage Registrar (in short MMR) on temporary basis.
2. Mr. Sagnik Bhattacharya, learned advocate appearing for the petitioner, submits that a selection process was initiated for filling up the post of temporary MMR under Murarai Police Station. He alleges that the entire process is vitiated by illegality. Referring to the Notification dated 13.06.2019, he points out that applications were invited exclusively from inhabitants of the Murarai Police Station area. However, in the present case, the private respondent who is admittedly a resident of Paikar Police Station has been appointed in violation of the stipulated criteria. The petitioner contends that such an appointment is void ab initio and, accordingly, seeks a direction upon the concerned respondents to cancel the appointment of the private respondent, and issue an letter of

appointment to the post in his favour.

3. Mr. Soumen Datta, learned advocate appearing for the private respondent, has produced certain documents in support of his client's case, including the AADHAAR card, the approval of his appointment, and the license issued in his favour.
4. Since the parties have not raised any objection, these three documents have been taken on record.
5. Mr. Tarak Karan, learned advocate appearing for the State, opposes the contentions advanced by the petitioner. He submits that there has been no illegality in the conduct of the selection process and asserts that the private respondent is also an inhabitant of Murarai Police Station. It is submitted on behalf of the State that, admittedly, applications were invited for the said post from inhabitants of Murarai Police Station.
6. Heard the learned advocate for the parties. Perused the materials-on-record.
7. Record would reveal that for the purpose of this selection process, Murarai Police Station was divided into two parts, Part A1 and Part A2. The Aadhaar card of the private respondent, as produced by Mr. Dutta indicates that the private respondent is inhabitant. Therefore, as the private respondent is a resident of Part A2, he was found eligible to participate in the selection process. Upon completion of the process, a list of 12 candidates was prepared, and the private respondent, being a resident of Part A2 of Murarai Police Station, was found suitable for the post. Accordingly, an appointment letter was issued in his favour.
8. Therefore, upon scrutiny of the records and documents produced before this Court today, I do not find any justification in the petitioner's contention and

accordingly the writ-petition being **WPA 4572 of 2020** is **dismissed**.

(PARTHA SARATHI CHATTERJEE, J.)