

07.11.2025
Court No.13
Item No.21
pk

FMA 493 of 2025

Samar Kumar Singh
Vs.
The State of West Bengal and others

Mr. Nirmalya Ray
... for the appellant.

Mr. Alak Kumar Ghosh,
Ms. Piyali Sengupta
... for the K. M. C.

Mr. Swapan Banerjee,
Mr. Diptendu Narayan
... for the State.

Ms. Koyeli Bhattacharyya
... for the W.B. Municipal Service
Commission.

1. The appellant is aggrieved by an order dated 07.02.2025 passed by the Single Bench of this Court. Challenge in the writ petition was to selection process of Conservancy Mazdoor under the K. M. C. The appellant has questioned certain criteria in the advertised selection process.
2. This Court firstly notices that a person participating in the selection process cannot turn around and question the terms and conditions stipulated in a selection process.
3. The Single Bench has received a report from the Municipal Service Commission. The Commission has clearly stated that the appellant took 2 minutes and 16 seconds to complete the physical fitness test in the general category as opposed to the last candidate in the said category, namely, Munshi Rabidas who took

1 minute 54 seconds. The writ petitioners cannot have any grievance in respect of any of the other categories in which the recruitment was effected. Even assuming for the sake of argument that the writ petitioner may have such grievance, the last selected candidate in each of the other categories has beaten the appellant by more than a minute in the physical test.

4. The learned Single Bench has set out the report of the Municipal Service Commission that was filed before it.
5. In those circumstances, the impugned order dated 07.02.2025 passed by the Single Bench calls for absolutely no interference.
6. Accordingly, the appeal fails and is hereby dismissed. Consequently, all connected pending applications are also dismissed.
7. Interim order, if any, shall stand vacated.

(Rajasekhar Mantha, J.)

(Rai Chattopadhyay, J.)