

D/L10
15.05.2025
Rohit
ct.no.04

WP.ST 77 of 2025

**Mihir Kanti Biswas
Versus
The State of West Bengal & Ors.**

Mr. Tulshi Das Roy
Mr. Tirthankar Roy

...for the Petitioner

Mr. Tapan Kumar Mukherjee, Sr. Adv
Mr. Somnath Naskar

...for the State

Mr. Manujendra Narayan Roy
Mr. Biswarup Nandy

...for the Respondent No. 2 & 3

1. Heard learned Counsel for the petitioner and the learned counsel for the respondents.
2. The petitioner has participated in a process of recruitment pursuant to the Group D Recruitment Examination, 2017. He has participated in the process as a Scheduled Caste (SC Candidate) and has not emerged successful in the process. Based upon some information on the website, photocopy of screenshot of which was enclosed with the OA and now the writ petition, it was submitted before the Tribunal that the information shows the petitioner to be under a category "NA". Therefore, he submits that the petitioner has not been considered as an

SC candidate. Raising such grievance he has approached the Tribunal.

3. The Tribunal has dismissed the petitioner's O.A.
4. The Tribunal has considered the issue by recording a finding which reads as follows:

“From the submissions of the learned counsels and the records in this application, the Tribunal is of the clear and unambiguous view that the applicant was not successful in the recruitment process in the post of Group-‘D’. The primary document which is the result of the examination uploaded in Board website shows very clearly that the applicant did not qualify during the recruitment examination. The repeated argument by the learned counsel for the applicant that the two letters “NA” may mean his social category being a Scheduled Caste wrongly mentioned, is not at all an acceptable point. The Tribunal cannot accept that two letters “NA” against the name of the applicant may have anything to do with the outcome of the examination, in which he did not succeed. What is more relevant is the fact that the applicant had participated and was not successful. By linking it with the “NA” remark against his name has no relevance in this matter. The applicant’s side conveniently ignored the sentence appearing below the “NA” and typed in bold letters “ You have not qualified in the W.B. Gr D recruitment examination 2017”.

The prayer in this application has no merit and is, thus, disposed of without passing any orders.”

- 5. From reading of the order of the Tribunal it is apparent that since the petitioner was not successful in the recruitment process “NA” has been mentioned against his name under the heading “Category”.
- 6. The photocopy of screenshot of the result of the recruitment examination 2017, relied upon by the petitioner is being extracted herein:

RESULT OF WEST BENGAL GROUP D RECRUITMENT EXAMINATION - 2017

Enter Application No
(9 Digit)

100588924

Date of Birth (as per
application)

21/06/1988
(DD/MM/YYYY)

Submit

Refresh

Please be careful while entering your date of birth. It should be in dd/mm/yyyy format if not entered through the calendar control. The DOB should be as per your Application Form/Admin Card/Interview Call Letter.

Application No	WT RollNo	Name	Date of Birth(as per application)	Selected Category	Special Category			
					PWD	EC	MSP	ESM
100588924	0201770929	MIHR KANTI BISWAS	21/06/1988	NA	No	No	No	No

You have not been selected in the first list of WBGRD Examination - 2017. However your name has been included in the waiting list.

From bare perusal of the same it is apparent that the petitioner was not declared a selected candidate and he was placed in the waiting list. In the circumstance there was no occasion for the authorities to place the petitioner in any category whatsoever, having not been selected. The question of declaring the category of a candidate mandatorily arises if such candidate finds placed in the select list as the same is done to maintain transparency in the recruitment process by disclosing the number of candidates selected in each category for complying

with the requirement of reservation. Had the petitioner been declared selected, it would have become mandatory to disclose whether he was selected in the Reserved Category (SC), or against an Unreserved Category (UR) post based on his merit performance. Since the petitioner was not selected the heading "Category" was not applicable to the petitioner's result. The authorities thus have rightly declared category to be NA (Not Applicable). When the matter was taken up last the petitioner's counsel expressed the apprehension that omission to mention the petitioner's category (SC) stems from the fact that his candidature was not considered as an SC candidate. Though such apprehension was unfounded, we asked the learned Counsel representing the respondent SSC to file an affidavit annexing as report disclosing the category under which the petitioner was considered. A report has been filed after due service upon the petitioner's counsel wherein it is clearly stated as follows:

"Hence, it is clear that the petitioner was considered as an "SC" candidate throughout the entire recruitment process."

7. Thus there is no ambiguity that the petitioner's apprehension was unfounded and that the

petitioner was considered under the recruitment process as an SC candidate.

8. No other submissions having been advanced before the Tribunal, we find no reason to interfere with the order passed by the Tribunal.
9. Hence, the writ petition stands dismissed.
10. No order as to costs.

(Madhuresh Prasad, J.)

(Partha Sarathi Chatterjee, J.)