

02.07.2025

Ct. no.2

Sl. 12

b.r.

WPA 13279 of 2025

Prodyut Halder

Vs.

The Union of India & Ors.

Mr. Amitabrata Roy

Ms. Deboleena Ghosh

Ms. Ria Naskar

.... For the Petitioner.

Mr. Atarup Banerjee

Ms. Tanusree Ghosh

.... For the Respondents.

Affidavit of service filed in Court today is taken on record.

Mr. Amitabrata Roy, learned advocate appears for the petitioner.

Ms. Tanusree Ghosh, learned advocate led by Mr. Atarup Banerjee, learned advocate appears for the respondents.

The contention of the petitioner is that despite qualifying in the selection test with the higher marks than the last marks of the successful candidate, the petitioner has not been issued with the appointment letter.

In course of the hearing, learned counsel for the petitioner has placed a communication dated **June 26, 2025** with a copy endorsed to the learned advocate on

record for the petitioner, the same is taken on record. The said communication shows that all the original records relating to the, the petitioner has been sent to the **Commandant, CISF Unit, DSP, Durgapur.**

Learned counsel for the petitioner submits that only the administrative decision is to be taken upon verification of all records and then if ultimately the petitioner is found to be eligible in every respect in accordance with law, the appointment letter may be issued in his favour.

At this juncture, Ms. Tanusree Ghosh, learned advocate appearing for the respondents submits that she requires to take instruction from her client, accordingly prays for an adjournment.

Considering the submissions made on behalf of the parties and upon perusal of the records, this Court is of the view that just by granting an adjournment at this juncture to the respondents, no fruitful purpose will be served save and except, the issue shall be prolonged.

In view of the above, the **respondent no.4** is directed upon issuing a prior hearing notice of **at least seven days** to the petitioner and after granting an opportunity of hearing to the petitioner and upon verification of all the necessary documents and records shall consider the issue raised by the petitioner in this writ petition as to why the appointment letter has not yet

been issued in favour of the petitioner, by passing a reasoned order in accordance with law.

The petitioner shall serve a complete set of writ petition along with a copy of today's order upon the respondent no.4.

The entire exercise shall be carried out and completed by the **respondent no.4** positively within a period of ***four weeks*** from the date of communication of this order. In the event, the reasoned order goes in favour of the petitioner and it appears that the petitioner is eligible to receive an appointment strictly in accordance with law, then the necessary appointment letter shall be issued by the appropriate authority of the respondents positively within a further period of ***four weeks*** from the date of the said reasoned order to be passed.

It is made clear that this Court has not gone into the rival contentions of the parties and the parties shall be at liberty to urge their respective contentions before the respondent no.4 upon relying all necessary records and documents but the same shall not travel beyond the scope of the case made out in this writ petition.

It is also made clear that this order shall not create any right or equity in favour of the petitioner if the petitioner does not succeed to his contention before the respondent no.4 strictly in accordance with law.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 13279 of 2025** stands ***disposed of***, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)