

25.07.2025
(D/L-18)
Ct. No.4
(B.K.N.)

W.P.S.T. 144 of 2025

**Shreya Srivastava
Vs.
The State of West Bengal & Others**

Mr. Jaydip Kar, Sr. Adv.,
Mr. Debdeep Sinha

...for the Petitioner

Mr. Tapan Kumar Mukherjee, Ld. AGP
...for the State Respondents

Ms. Shraboni Sarkar,
Ms. Umme Habiba Khatun
...for the Respondent No. 3/PSC, W.B.

1. The petitioner is the applicant before the Tribunal. She is claiming promotion as a Superintendent Architect. Her grievance is that others who were juniors to her on the post of Architect have been granted promotion taking into consideration their earlier experience as Assistant Architect. The petitioner, however, has not been considered as she is a direct recruit on the post of Architect.
2. It is submitted that in the circumstances an anomalous situation has arisen wherein the petitioner's juniors in the post of Architect have been promoted and she has been left behind. A prayer has thus been made before the Tribunal for grant of interim orders.
3. The learned advocate appearing on behalf of the petitioner has submitted that at least this Court may direct that a post may be kept vacant for the petitioner

and she may not be posted under any such junior, in view of the fact that an amendment has been proposed in the recruitment rules which, if published and rule modified, then the petitioner would become eligible for the promotion as Superintendent Architect based only on her seven years service as an Architect.

4. We are of the view that an issue whether there is any existing vacancy in the post of Superintending Architect is at least one issue to be considered before an interim order for keeping a post vacant can be considered.
5. The matter has been fixed before the Tribunal on 13.08.2025. This issue, therefore, can very well be considered by the Tribunal.
6. The learned AGP as well as the learned advocate representing the PSC submits that they will ensure filing of affidavits before the Tribunal latest by 8th of August, 2025 so as to facilitate consideration of the petitioner's prayer for interim relief in accordance with law.
7. In view of such submission, pendency of the present writ petition would be futile. We, therefore, dispose of the same expecting that the matter would be considered at the earliest by the Tribunal without granting any unnecessary adjournments or undue delay.

8. We make it clear that we have not made any expression on the merits of the rival submissions and all issues are left open.
9. Urgent Photostat Certified copy of this order, if applied for, be supplied to the parties upon compliance with all necessary formalities.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)