

4th August, 2025
(M/L No.10)
Ct. No.4
(SKB)

W.P.S.T.161 of 2025

Munmun Nesha and others
Versus
Public Service Commission and others

Mr. Shamim-ul-Bari,
Mr. Atarul Hoque Molla
... for the petitioners.

Ms. Shraboni Sarkar,
Ms. Umme Habiba Khatun
... for the P.S.C.

1. Heard learned counsel for the petitioners.
2. The writ petitioners have participated in a process of recruitment for appointment of Assistant Director (Agriculture). The recruitment process was to be conducted through an interview preceded by a preliminary screening test. After the preliminary screening test, the authorities have called 25 candidates as against the existing 12 vacancies under the category 'OBC(A)'.
3. The list of candidates called for interview in the ratio 1:2 has been published on 10.01.2025. The interviews were conducted in between 24.01.2025 to 09.02.2025, as per submissions of the learned counsel for the petitioners. The petitioners however did not raise any objection whatsoever at the time of publication of list of

candidates being called for interview and prior to, or during interview/s. It is only thereafter, that the writ petitioners have filed an O.A., after the interview process was already complete, wherein third party rights accrued, claiming a relief that the authorities should have invited candidates in the ratio 1:3 instead of 1:2 as has been done in the present case. We also find that the writ petitioners have approached the West Bengal Administrative Tribunal (in short 'SAT') without exhausting other remedies as contemplated under Section 20 of the Administrative Tribunals Act, 1985. The petitioners have also not made out any extraordinary circumstance for moving the SAT without complying with Section 20 (supra).

4. The sum and substance of the writ petitioners' belated claim is that more candidates should have been called for interview so that the cut-off could have been enhanced/enlarged, so as to accommodate the writ petitioners.
5. Under above noted circumstance; and in view of such prayer, which is not founded on any such stipulation either in the advertisement or in the rules governing the recruitment, the West Bengal State Administrative Tribunal has dismissed the O.A. being O.A.95 of 2025.

6. We do not find any reason to interfere with the Tribunal. The order of the Tribunal rejecting the petitioners' claim has not occasion any injustice or miscarriage of justice so as to necessitate exercise of extraordinary and discretionary jurisdiction of judicial review under Article 226 of the Constitution of India in this writ petition.
7. The writ petition is dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)