

WP.ST 996 of 2003
CAN 4 of 2023

Amarnath Chauhan

Vs.

The State of West Bengal & Ors.

Md. Z. Rahaman

Ms. Madhumita Dhar ... for the petitioner / applicant

Mr. Tapan Kumar Mukherjee

Ms. Sangeeta Roy .. for the State

The petitioner's application bearing no. OA 902 of 2003 has been rejected by the West Bengal Administrative Tribunal dated 18.08.2003. It was the applicant's claim before the Tribunal that though he was declared qualified in the recruitment process conducted by the Public Service Commission (P.S.C.) for appointment of Lower Division Assistant, he has not been allowed to join because the authorities have found his secondary school certified (S.S. Certificate) for short issued by the National Open School (NOS for short), New Delhi to be not equivalent to the Madhyamik Examination conducted by the West Bengal Board of Secondary Education (WBBSE).

Learned counsel submits that since he was allowed to participate on the basis of S.S. Certificate and since he was declared qualified by the P.S.C., there was no justification to subsequently reject his candidature on the ground that S.S. Certificate issued by NOS was not equivalent to Madhyamik Examination conducted by WBBSE.

The learned counsel, however, has not been able to show any documents prior to the recruitment process declaring equivalence of his S.S. certificate issued by the NOS to be equivalent to Madhyamik Examination conducted by WBBSE.

It is not in dispute that as per recruitment procedure he was required to process educational qualification of Madhyamik Examination conducted by WBBSE or equivalent. The fact that he has qualified in the steps prior to verification of document therefor cannot enure any benefit to the petitioner since he lacks the basic educational qualification.

In such circumstances, we find no reason to interfere the order passed by the Tribunal dismissing his case.

The writ petition is dismissed.

The recalling application being CAN 4 of 2023 is allowed.

(Madhuresh Prasad , J.)

(Supratim Bhattacharya, J.)