

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 22580 of 2025

Amit Mondal & Ors.

v.

The State of West Bengal & Ors.

Mr. Soumya Majumder, Sr. Advocate
Mr. Debasish Banerjee
Mr. Rakesh Jana
... For the petitioners

Mr. Sirsanya Bandopadhyay
Mr. Sandip Dasgupta
Ms. Mahima Cholera
Mr. Niket Ojha
... For the State

Mr. Kalyan Bandopadhyay, Sr. Advocate
Ms. Pramiti Bandopadhyay
Mr. Arka Kumar Nag
Mr. Rahul Kumar Singh
... For the WBCSC

1. The petitioners challenge the allocation of marks in respect of Group-C posts in the ongoing selection process for recruitment in the post of Clerk.
2. Allegation is that for the post of Clerk only five marks have been allocated for similar experience (one mark for each completed year) whereas; in respect of Group-D post ten marks are allocated for similar experience.
3. It has been submitted that, the Commission is trying to create a class amongst a class.

4. The petitioners pray for allocating ten marks for similar experience in respect of the post of Clerk as has been done for the Group-D post.
5. Learned advocate representing the Commission opposes the submission and prayer of the petitioners. It has been submitted that for the post of Clerk, computer typing and computer proficiency is a very essential qualification and 25 marks have been allocated for the same. Group-D staff is not required to have proficiency in computers. Marks have been allocated differently for different posts keeping in mind the nature of the work to be performed by the employee.
6. It has been denied that a separate class is sought to be created within a class. It has been submitted that Group-D and Group-C are completely different posts with different requirement of educational qualifications and experience.
7. Upon hearing the parties, the Court is not inclined to accept the contention of the petitioners that, the authority is creating a class within a class. The petitioners are competing for the Group-C post. The petitioners cannot equate themselves with the Group-D post. The two posts are entirely different.
8. The requirement and the educational qualification meant for the two posts are distinctly separate. The expert body thought it fit to allocate five

marks for similar experience in respect of Group-C post and ten marks for similar experience in respect of Group-D post. The same is an executive decision of the authority. The decision does not appear to be arbitrary or it also does not appear that the same does not have any nexus with the object sought to be achieved.

9. In view of the above, the Court is not inclined to exercise jurisdiction in this matter.
10. The writ petition fails and is hereby dismissed.
11. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Amrita Sinha, J.)