

A-89
06.08.2025
Court No.14
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 25529 of 2023

Biswanath Samanta
Vs.
The State of West Bengal & Ors.

Mr. Rajnil Mukherjee.
Ms. Satabi Dey.

...for the Petitioner.

1. Affidavit-of-service filed in Court today be kept with the records.
2. The petitioner participated in a selection process for appointment of District Child Protection Officer pursuant to a notice published by the office of the District Magistrate, Jhargram (Social Welfare Section) on 2nd August, 2019.
3. The petitioner came to learn that he secured fourth position in the panel. It has been alleged that the candidate who secured the first position belonged to the reserved category and as the post in question was meant for unserved category, accordingly, a candidate from the reserved category could not have been appointed in the said place.
4. Prayer has been made to inter alia stay all further steps taken in respect of the subject selection process.
5. The contention and submission of the petitioner cannot be accepted.

6. From the compilation sheet annexed at page 64 of the writ petition, it appears that the candidate who secured the first position secured 55.9 marks and the petitioner secured 46.1 marks. On getting more marks, the reserved category candidate may have automatically got transposed to the general category and possibly appointment has been given to the said candidate and he is working in the post for the last five years.
7. The petitioner has not challenged the awarding of marks. Assuming that the candidate who secured the highest marks is removed/terminated from the said post, even then the petitioner will not get a chance to be appointed as he stood fourth in the panel and there was only one vacancy.
8. In view of the above, no relief can be granted to the petitioner in the instant case.
9. The writ petition fails and is hereby dismissed.
10. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)