

16 27.11.2025
rkd Ct.02
DM

W.P.A. 26748 of 2025

Sri Samir Kumar Saha

-vs-

The Central Bank of India & Ors.

Mr. Pulak Ranjan Mandal,
Ms. Bandana Mandal

....for the petitioner.

Ms. Aparajita Rao,
Ms. Nabanita Dutta

....for the respondents.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner was working as Safai Karmachari-cum-sub Staff of Central Bank of India, Ranaghat Branch.
3. However, service of the petitioner as Safai Karmachari-cum-sub Staff was discontinued as it is submitted on behalf of the Bank Authority that petitioner was appointed on casual basis.
4. Based on an advertisement issued subsequently petitioner offered his candidature by submitting application on 15th September, 2012. However, petitioner applied under General category not as Other Backward Class category.
5. Based on call letter dated 7th February, 2013 petitioner participated in the interview on 2nd March, 2013 but he was not selected. On publication of the result of such selection process

petitioner found that he was not selected. Result was published on 16th March, 2013.

6. Thereafter, petitioner on 28th March, 2013 made a representation before the concerned authority of the Bank stating that he was required to be considered as OBC candidate not General category candidate though inadvertently application was made by the petitioner declaring himself as General category candidate. As the prayer of the petitioner to treat him as OBC candidate was not accepted by the Bank Authority which prompted the petitioner to file a writ petition being WPA 31776 of 2013 which was dismissed by a coordinate Bench by order dated 13th November, 2013.
7. An intra Court appeal was preferred being MAT 58 of 2014 questioning order dated 13th November, 2013 which was disposed of by the Hon'ble Division Bench by order dated 28th February, 2014. In the said order dated 28th February, 2014 it was observed by the Hon'ble Division Bench that in case any vacancy is notified for recruitment of candidate under OBC category it would be open to the appellant/petitioner to apply in that regard and to stake his claim in accordance with law.
8. Based on such observation made by the Hon'ble Division Bench in the order dated 28th February,

2014 present writ petition is instituted seeking a mandamus thereby directing the Bank Authority to notify vacancy which will permit the petitioner to offer his candidature under OBC category.

9. It is trite that decision to initiate a selection process for filling up vacancy is within domain of employer (Bank Authority) and for that writ Court ought not to issue mandamus.
10. Considering the prayer couched in this writ petition seeking a direction upon the Bank Authority to initiate a selection process by issuing a notification for considering petitioner's candidature as OBC, Court is not inclined to pass any direction.
11. The writ petition stands dismissed.
12. There shall be no order as to costs.
13. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)