

Form No. J.(2)
Item No. DL/3
ARPAN - AR (CT)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. NO. 27009 OF 2025

With

CAN 1 of 2025

BADVEL SREEDHAR

Vs.

COAL INDIA LIMITED & OTHERS

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioner : Ms. Aditi Rathore, Adv. (*Via VC*)
Ms. Paulomi Dutta, Adv.

For the Respondents : Mr. Samrat Mukherjee, Adv.
Mr. Rik Mukherjee, Adv.

Hearing concluded on : 27.11.2025

Judgment On : 27.11.2025

SAUGATA BHATTACHARYYA, J.:

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioner and Coal India Limited being the answering respondents. Petitioner is represented by learned advocate, who appears on virtual mode.

3. Matter relates to non-supply of admit card for participation of the petitioner in a promotional examination which is scheduled on 29th November, 2025 in terms of notification dated 25th February, 2025. It is submitted in reference to a document at page 45 of the writ petition that since Annual Confidential Report (for short, 'ACR') of the petitioner was assessed 'Below Good' for the year 2023-2024, petitioner was not supplied admit card thereby prompting the petitioner to approach this Court with the present writ petition praying for direction upon the respondent authorities to supply admit card enabling the petitioner to participate in the ensuing Computer Based Test (CBT) on 29th November, 2025.
4. In order to buttress the case made out by the petitioner, it is submitted that assessment of the candidate as per ACR needs to be carried out not at the stage when Computer Based Test is to be conducted but at the subsequent stage while assessing marks which will be awarded to the candidate under Written Test, Qualification and Experience as it is provided under Clause 6(vi) of the notification dated 25th February, 2025.
5. In addition thereto attention of this Court has also been drawn to Clause 7(iii) of the notification dated 25th February, 2025 whereunder it is provided that mere issuance of admit card before Computer Based Test does not confer right upon the applicant to be eligible for promotion/selection if he/she is otherwise found to be ineligible. Therefore, according to the petitioner in terms of the aforesaid provision

as indicated in notification dated 25th February, 2025, petitioner ought to have been supplied with admit card to participate in the ensuing computer based test on 29th November, 2025.

6. Learned advocate representing Coal India Limited has opposed this writ petition based on Clause 6(vi) of the notification dated 25th February, 2025 which is relied upon on behalf of the petitioner and Clause 7(ix) (c). It is further submitted that as the petitioner, as per ACR, was found to be 'Below Good' for the year 2023-2024, petitioner is not eligible to participate in the ensuing Computer Based Test. Moreover, as per Clause 7(ix)(c), it is submitted that if a candidate fails to meet the eligibility criteria for the promotion/selection, right is reserved by the respondent authorities to disqualify any candidate, at any stage.
7. Having considered the submissions made on behalf of the parties and taking note of the relevant provisions as contained under Clause 6(vi) of the notification dated 25th February, 2025, this Court finds it apt to rely upon Clause 6(vi) and same is quoted below:

"6. Methodology and Other Norms:-

vi. The final Promotion/Selection Merit List will be based on total marks secured by the candidate out of 100 marks on the weightage comprising of [Written Test (65%), Qualification (10%), Experience (10%), and ACR (15%)]. Performance rating should be atleast "Good" for the last three (03) years under review i.e. 2021-2022, 2022-2023 and 2023-2024. "Average", "Adequate", "Barely Adequate" will not be considered Fit for Selection. Thus, applicants,

who are not having desired Performance Rating for last 3 years as on the Cut-off date, will not be considered.”

8. In order to appreciate eligibility of the candidate to be considered for departmental promotion, said Clause 6(vi) needs to be considered in its entirety.
9. It is true that first part of Clause 6(vi) provides that the total marks allotted for the promotion is 100; out of which for Written Test 65 is allotted; 10 marks each is allotted against Qualification and Experience; for ACR 15 marks is allotted but Clause 6(vi) does not end here. It is also provided therein that performance rating should be at least ‘Good’ for the last three years under review that is, 2021-2022, 2022-2023 and 2023-2024. It is further specifically provided therein that if a candidate is assessed as per ACR ‘Average’, ‘Adequate’ or ‘Barely Adequate’, candidate will not be considered eligible for selection and the candidate who does not have desired Performance Rating for last three years as on the cut off date, will also not be considered.
10. In addition thereto under “General Information and Instructions” as provided under Clause 7, it is specified under sub-clause (ix) that if at any stage of promotion it is found that the applicant does not meet the eligibility criteria, he/she is liable to be disqualified.
11. In the present case, Court is not considering correctness of assessment of the petitioner made by the respondent authorities based on ACR. Therefore, Court has to proceed based on ACR Rating given to the petitioner for the year 2023-2024 as it appears from a document at

page 45 of the writ petition which goes to show that petitioner was assessed 'Below Good'.

12. While considering the eligibility of the petitioner to be considered for promotion by permitting him to participate in the ensuing Computer Based Test, Court cannot brush aside this aspect taking note of the provisions as contained under "Methodology and Other Norms" specially Clause 6(vi) wherein it is unequivocally stated that 'Average', 'Adequate' or 'Barely Adequate' will not be considered fit for selection and candidate has to be assessed at least 'Good' for the last three years under review, *i.e.*, 2021-2022, 2022-2023 and 2023-2024.
13. In view of aforesaid scenario, Court is not inclined to pass order thereby permitting the petitioner to participate in the ensuing Computer Based Test scheduled on 29th November, 2025.
14. Hence, writ petition stands dismissed. Application being CAN 1 of 2025 also stands dismissed.
15. However, there shall be no order as to costs.
16. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)