

Form No. J.(2)
Item No. DL/13
ARPAN - AR (CT)

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

W.P.A. NO. 27252 OF 2025

SUJIT GHOSH CHOUDHURY & OTHERS

Vs.

THE STATE BANK OF INDIA & OTHERS

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioners	: Mr. Anindya Lahiri, Sr. Adv. Mr. Biplab Pal, Adv. Mr. Anish Chakraborty, Adv. Mr. Subhomoy Paul, Adv.
For the State Bank of India	: Mr. Subrata Kumar Sinha, Adv.
Hearing concluded on	: 11.12.2025
Judgment On	: 11.12.2025

SAUGATA BHATTACHARYYA, J.:

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Petitioners belong to Economically Weaker Section (EWS), who participated in the selection process for filling up vacancies of Bank Guards at several branches of State Bank of India (SBI) in West Bengal. Petitioners are ex-servicemen.

3. Mr. Anindya Lahiri, learned Senior Advocate representing the petitioners submits that a notification was issued on 12th June, 2024 being no. PER/261 for filling up vacancies of Bank Guards at several branches of SBI in West Bengal. In terms of said notification dated 12th June, 2024, petitioners participated in the selection process but the grievance of the petitioners is said recruitment process based on notification dated 12th June, 2024 is not brought to logical conclusion.
4. Petitioners pray for direction upon the concerned bank authorities for concluding the selection process on adhering to the conditions as stipulated in the order dated 1st October, 2024 passed by a Co-ordinate Bench on a writ petition being **WPA 17514 of 2024 (Provat Chandra Ghosh & Ors. vs. The State Bank of India & Ors.)**.
5. Notice of this Court has also been drawn to a letter dated 4th November, 2025 issued by Chief Manager (H.R. & Admin.), Administrative Office, Siliguri in response to a RTI application whereby it was informed that due to pendency of litigation, steps could not be taken in terms of the recruitment notification dated 12th June, 2024.
6. State Bank of India is represented by learned advocate, who submits that all steps were taken pursuant to recruitment notification dated 12th June, 2024 but result could not be published due to pendency of the writ petition being WPA 17514 of 2024 and the order passed by the Co-ordinate Bench on 1st October, 2024. It is also submitted that carrying forward of vacancies reserved for EWS category candidates is

impermissible. Therefore, the vacancies arose under EWS category in the previous year may not be filled up in connection with the recruitment process of 2023-2024 as the same was initiated pursuant to recruitment notification dated 12th June, 2024.

7. Taking note of the submissions made on behalf of the parties and letter dated 4th November, 2025 issued on behalf of SBI in response to RTI application, primarily it appears that due to pendency of the writ petition being WPA 17514 of 2024 and the order passed by the Co-ordinate Bench on 1st October, 2024, result of the selection process is not being published.
8. Copy of the writ petition being WPA 17514 of 2024 is placed before this Court and on perusal of the same it appears that challenge is thrown to the recruitment notification being no. PER/261 dated 12th June, 2024 and further to re-classify 28 vacancies reserved for EWS category candidates as general vacancies under unreserved category.
9. Copy of the order passed by the Co-ordinate Bench dated 1st October, 2024 in WPA 17514 of 2024 is taken on record wherefrom it appears that there is no restraint so far bank authority is concerned from giving effect to the recruitment notification dated 12th June, 2024 with a rider that de-reservation of post or carrying forward of unfilled vacancy earmarked to be filled up by EWS category shall be made after obtaining leave of the Court.

10. In the present case, petitioners are not praying for carrying forward of unfilled vacancies reserved for EWS category candidates and no prayer is made for de-reserving those posts. Both the writ petitions, present writ petition and the writ petition being WPA 17514 of 2024, relate to recruitment process of 2023-2024 and recruitment notification was issued on 12th June, 2024.
11. Hence, Court finds there is no fetter in permitting the bank authorities to bring the selection process initiated in terms of recruitment notification dated 12th June, 2024 into logical conclusion on compliance of two conditions as stipulated in the order dated 1st October, 2024 passed in WPA 17514 of 2024.
12. Accordingly, concerned bank authorities are directed to conclude the recruitment process initiated in terms of recruitment notification dated 12th June, 2024 subject to final result of the writ petition being WPA 17514 of 2024 but while taking steps posts are not to be de-reserved and vacancies are not to be carried forward for the next selection process, *i.e.*, 2024-2025 onwards in connection with EWS category vacancies.
13. With the aforesaid clarification writ petition stands disposed of.
14. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)