

10.6. 2025
item No.20
n.b.
ct. no. 24

WPA 28418 of 2024

Jaba Sultana

Vs.

State of West Bengal & Ors.

Mr. S. P. Lahiri,
Ms. Munjel Alam,
Md. Habibur Rahaman,
.... For the petitioner.
Ms. Sonal Sinha,
Mr. Amrit lal Chatterjee,
.... For the State.

Petitioner applied for FPS licence in term of the
vacancy notification no.376.ESTT/ECFS/R
GJ/2023 dated 29.8.2023.

It is the contention of the petitioner that he is
must suitable candidate. He placed all the documents
to the concerned authority but the selection process was
not concluded. Accordingly, the petitioner placed an
application under the Right to Information Act on
September 25, 2024. The concerned authority has
replied to the RTI request of the petitioner through a
memo dated October 3, 2024. The memo of the
concerned department and reply thereof be set out for
proper consideration:

*“a. Current status of the Enquiry(as of 31.05.2024):
The final disposal of the FPS vacancy process is
still ongoing. The matter is currently under processing,
and due to pending legal and administrative procedures,
the enquiry has not yet been finalized. We are unable to
provide a specific timeline at this stage.
b. Progress on Your FPS Vacancy Application (Application
No.2022019625008):*

Your application is being reviewed as part of the FPS vacancy process. However, since the final disposal is still pending and under legal consideration no conclusive decision has been made yet. We assure you that your application will be processed in accordance with the rules and guidelines.

c. Sufficiency of Documents Submitted for FPS Vacancy(Application No.20220019625008):

Based on the preliminary review of your application, the documents you submitted appear to be in order. However, the final assessment of the sufficiency of these documents will be made once the vacancy process reached its conclusion.”

Learned counsel for the petitioner submits that as the selection process is yet to be concluded. Let the necessary direction may be passed upon the concerned authority to concluded the selection process.

Mr. Amrita lal chatterjee, learned counsel appearing on behalf of the State authority submits that the concerned authority may be directed to conclude this selection process according to law.

Having heard learned counsel for the parties and considering the RTI reply of the authority, it appears to me that review of the candidature of the petitioner has been considered by the authority. However, no final assessment has been made by the authority. It appears that vacancy notification has been issued in the year 2023. Now, we have already completed nearly two years. The selection process is being stalled due to unknown reasons. At this juncture, the concerned authority must act promptly to conclude the selection process.

Under the above observation, the instant writ petition is disposed of directing the concerned authority to conclude the selection process as early as possible most preferably within six weeks from the date of receiving of this order.

The concerned authority must conclude the selection process by taking necessary steps according to law and according to the provisions of relevant control order.

The concerned authority shall issue the licence in favour of the most suitable candidate.

Accordingly, the instant writ petition is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Subhendu Samanta, J.)