

11-12-2025
Item No.4
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.28237 of 2025
Smt. Sucharita Debnath

-vs-

The State of West Bengal & Ors.

Mr. Shamim ul Bari, adv. ...for the petitioner

Mr. Sirsanya Bandopadhyay, SSC

Mr. Tarak Karan, adv.

Mr. Sandip Dasgupta, adv.

Mr. Niket Ojha, adv.

Ms. Mahima Cholera, adv. ...for the State

Mr. Kalyan Bandopadhyay, sr. adv.

Mr. Biswaroop Bhattacharya, adv.

Mr. Arka Kumar Nag, adv.

Mr. Rahul Kumar Singh, adv....for the Commission

1. The petitioner participated in the 2nd SLST, 2025 as EWS category candidate. She has been treated as a General category candidate by the Commission as she relied upon the certificate under the EWS category which was obtained by her after the last date of filing the application. She is aggrieved by the same.
2. It has been submitted that though the last date of filing application was initially July 21, 2025, but later on the Commission provided a window of ten days for receiving applications by notice dated August 22, 2025 thereby extending the last date of filing applications till September 2, 2025.
3. The petitioner obtained the EWS certificate on August 12, 2025 and submits that the petitioner ought to be treated as EWS category candidate relying on the same.

4. The recruitment notice published by the Commission on May 30, 2025 clearly mentioned that the last date of filing application was July 14, 2025, later on extended till July 21, 2025. The recruitment notice clearly prescribed that for seeking reservation, the certificates issued prior to the last date of filing application shall be considered. The petitioner applied within the said date, but she received the EWS certificate later on, i.e. on August 12, 2025.
5. The window that the petitioner is relying on is in terms of the notice dated August 22, 2025 which was only meant for the selected and appointed untainted candidates who are permitted to continue service till December 31, 2025. The petitioner cannot avail the benefit of the said window provided by the Commission as she already submitted her application within the initial due date.
6. It cannot be understood as to how the petitioner could declare to be a member of EWS category without valid certificate in her favour. It is only after the candidate is issued a certificate by the competent authority that the candidate can seek the benefit of reservation.
7. If the benefit of reservation is provided to the petitioner, then there may be several other candidates who obtained their EWS certificates beyond the cut-off date who would be deprived of the opportunity to be treated in the reserved category. The same will cause injustice to them.
8. In view of the above, the relief sought for by the petitioner cannot be allowed.

9. The writ petition fails and is hereby dismissed.
10. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
11. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]