

04.04.2025
Ct. No.2
44
Rohit

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

**WPA 656 of 2025
Mousumi Ghatak
-vs-
The State of West Bengal & Ors.**

Mr. Ekramul Bari
Mr. Sk. Imtiaz Uddin
Ms. Rinka Chakraborty
...for the Petitioner

Mr. Pretom Das
Mr. Sandip Guha Roy
...for the State

Mr. Kamal Krishna Banerjee
Mr. Bhaskar Roy M.
Mr. Satyaki Basu
...for the respondent No. 4

The petitioner alleges that the private respondent secured less marks than the petitioner in the written examination but was awarded more marks in the interview in order to select the private respondent for the post of librarian in a rural library.

Petitioner submitted a representation before the Additional District Magistrate (Development), Jalpaiguri & Working Chairman, Local Library Authority being the 3rd respondent ventilating his grievances.

Mr. Bari, learned Advocate appearing for the petitioner submits that no decision on such representation has been communicated to the petitioner till date.

Mr. Bari, learned Advocate appearing for the petitioner places reliance upon a decision of a Coordinate Bench in WPA 11343 (W) of 2004, order passed on 25th January, 2025 in support of his contention that a candidate securing less marks in the written examination cannot be awarded more marks in the interview.

The learned Advocate appearing for the State respondent seriously disputes the contention of Mr. Bari, learned Advocate for the petitioner that the selection committee gave more marks to the private respondent with an object to select him to the post of librarian.

The learned Advocate appearing for the private respondent submits that the said decision being distinguishable on facts cannot be applied to the case on hand.

In the light of the submissions made by the learned Advocate for the parties, WPA 656 of 2025 is disposed of by directing the Additional District Magistrate (Development) & Working Chairman, Local Library Authority being the 3rd respondent to consider the representation of the petitioner dated 19th of November, 2024 and to dispose of the same by passing a reasoned order after giving an opportunity of hearing to the petitioner, private respondents or their authorized representatives and/or any other

interested parties who may be affected by such decision.

Needless to mention that the reasoned order shall be communicated to the parties immediately thereafter. The entire exercise shall be completed within a period of four weeks from the date of receipt of a server copy of this order along with a copy of the representation dated 19th of November, 2024.

It will be open to the parties to place reliance upon any decisions in support of their respective contentions at the time of hearing.

(Hiranmay Bhattacharyya, J.)