

S/L 65
18.02.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 2640 of 2026

Emdadul Karim Tilon

Vs.

The State of West Bengal & Ors.

Mr. Ali Ahsan Alamgir

Ms. Soma Mal

Ms. June Modak

Mr. Debarpan Bose

...for the Petitioner.

Mr. Kunal Ganguly

Mr. Bibek Dutta

...for the WBBSE.

Mr. Biswaroop Bhattacharyya

Ms. Pramiti Bandopadhyay

Mr. Rahul Kumar Singh

...for the WBCSSC.

1. Affidavit of service filed on behalf of the petitioner in Court today be kept with the records.

2. The petitioner participated in 2nd SLST, 2025. At the time of publication of the tentative vacancy list, the OBC-B category showed 27 vacancies in the subject Economics for classes XI & XII - Bengali.

3. At the time of publication of the final vacancy list, the vacancy has been reduced to 25. The petitioner is aggrieved by the same. His name features in serial number three of the provisional waiting list published by the Commission in respect of the male/female category.

4. The petitioner submits that had the vacancy position not been reduced then, the petitioner could have featured in the select list instead of featuring in the waiting list.

5. It has been submitted that as the petitioner is an OBC category candidate, the reservation ought to be 7% of the total vacancy. In the final vacancy list, 7% reservation has not been followed.

6. It appears that the final vacancy list was published in November 2025. The instant writ petition has been filed on February 3, 2026. The petitioner after being unsuccessful to make it within the select list has chosen to file the instant writ petition challenging the act of the Commission in publishing the vacancy list with reduced number of vacancy in the said category.

7. The stand of the petitioner cannot be accepted. Had the petitioner been genuinely aggrieved with the decrease of vacancy, he ought to have rushed to the Court immediately on publication of the final vacancy list.

8. The petitioner waited for the publication of the merit list and when he found that he failed to qualify in the merit list and he has been put in the wait list, the instant writ petition has been filed.

9. The Court is not inclined to interfere in the instant writ petition.

10. The writ petition fails and is hereby dismissed.

11. Certified copy of this order, if applied for, shall be made available to the parties.

(Amrita Sinha, J.)