

MAT 329 of 2026
with
IA No. CAN 1 of 2026
and
IA No. CAN 2 of 2026
(Jhuma Paul Ghosh Vs. Union of India & Ors.)

Mr. Debapriya Chatterjee
... For the appellant

Mr. Prasun Mukherjee
Mr. Deepak Agarwal
... For the respondent no. 3

Re: CAN 1 of 2026

Mr. Chatterjee, learned advocate representing the appellant, submits that there was no deliberate delay in preferring the appeal. He further submits that the delay was occasioned as the appellant had been pursuing an application for recall of the order impugned in the present appeal before the learned Single Bench and that, immediately after dismissal of the said recall application, the present appeal was preferred.

Mr. Mukherjee, learned advocate representing the respondent no. 3 leaves the matter to the discretion of the Court.

Having noted the submissions made on behalf of the respective parties, we are of the view that sufficient cause exists which prevented the appellant from preferring the appeal within the prescribed period of limitation. Accordingly, the application for condonation of delay being CAN 1 of 2026 stands disposed of. Delay is condoned.

Re: MAT 329 of 2026
with
CAN 2 of 2026

By preferring this intra-court appeal, the writ petitioner/appellant herein assailed the legality and/or propriety of the order dated 26th February, 2025 passed by the learned Single Judge in WPA 1705 of 2025, whereby the writ petition was dismissed.

The facts leading to the presentation of the present appeal are that the appellant participated in a selection process initiated for appointment as a Gramin LPG Distributor at Dakshin Akhratala, Block–Sandeshkhali-I, District–North 24 Parganas, under the OBC category by Hindustan Petroleum Corporation Limited (hereinafter referred to as “HPCL”) pursuant to an advertisement dated 28th January, 2024. Upon a draw of lots held on 23rd October, 2024, the appellant was selected. Subsequently, the appellant preferred the aforesaid writ petition contending that, despite her selection, no further communication had been made to her by HPCL and, accordingly, she was compelled to submit a representation dated 17th December, 2024. However, despite receipt of the said representation, no step had been taken by HPCL. Such inaction prompted the appellant to prefer the aforesaid writ petition. As observed earlier, by the order under appeal, the writ petition was dismissed.

In the course of hearing of the writ petition, certain copies of emails were produced before the learned Single Judge to demonstrate that, on the very next day, i.e., 24th October, 2024, the respondent no. 3, namely, the Deputy General Manager of Hindustan Petroleum Corporation Limited, had

sent an email to the registered email address of the appellant asking her to deposit the security amount and submit the requisite documents, as detailed therein, within seven working days from the date of such intimation. The learned Single Judge further observed that, subsequent thereto, a reminder was issued to the appellant through the same email on 4th November, 2024. Considering all these aspects, the learned Single Judge refused to accept the appellant's contention. Aggrieved thereby, the appellant filed a recalling application being CAN 2 of 2026, affirmed in the month of May, 2025, reiterating the same contention, i.e., non-receipt of any communication from HPCL. The said recalling application was also dismissed by another learned Single Bench of this Court on 2nd December, 2025.

Mr. Chatterjee asserts that no email was sent to the appellant. Referring to Clause 5(Uma) of the advertisement, he submits that HPCL was required to send SMS in addition to any communication sent through email.

Mr. Mukherjee vehemently opposes such contention. He submits that, on several occasions, the appellant, through her registered email ID, was asked to deposit the security amount and submit the requisite documents. However, almost after two months, she submitted a representation and thereafter, alleging inaction on the part of the respondents in considering the said representation, preferred the writ petition. He further submits that, taking note of these facts, the learned Single Judge rightly refused to accept the appellant's contention.

Heard the learned advocates appearing for the respective parties. Perused the materials on record.

The learned Single Judge, upon perusal of the copies of emails produced before him, recorded a specific finding of fact that on several occasions the respondent no. 3 had sent emails requiring the appellant to deposit the security money. However, despite receipt of such emails, the appellant failed to deposit the said amount.

Upon perusal of Clause 5 (Uma) of the advertisement, as referred to by the appellant, it appears that the said clause stipulates that all communications to the applicant would be made through email and/or SMS. Thus, liberty was reserved with the authority to communicate either through email or SMS and, in the case at hand, such communications were made through email.

In such conspectus, we do not find any adequate justification to accept the appellant's contention and, accordingly, find no infirmity or perversity in the order dated 26th February, 2025 passed in WPA 1705 of 2025.

With the above observations, the appeal and its connected application are dismissed.

There shall, however, be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this court.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)