

S/L 33
15.05.2026
Court No.04
B.K.N

W.P.S.T. 74 of 2026
Smt. Gouri Biswas
Vs.
The State of West Bengal & Ors.

Ms. Shetparna Ray

...for the Petitioner.

1. The petitioner has approached this Court by submitting that her claim for promotion to the single post of Librarian in the West Bengal Secretariat Library cannot be considered by the West Bengal Administrative Tribunal (Tribunal for short) since the same is non functional for want of any member. Being left remediless she has approached this Court assailing the orders passed by the Tribunal whereby the case was repeatedly adjourned, without even considering any interim relief to the writ petitioner. Thus, we proceeded to consider the same.
2. Heard the learned advocate for the applicant/writ petitioner.
3. The petitioner claims to be the senior most on the feeder post of Senior Technical Assistant. The learned advocate submits that the petitioner was also possessing the requisite qualification for promotion but the authorities instead of promoting the petitioner proceeded to issue a requisition to the West Bengal Public Service Commission for conducting a recruitment process to the single post of Librarian.

4. The Joint Secretary, Home and Hill Affairs Department, Government of West Bengal sent the requisition through a Memo No. 566-G.E./1E-85/19 dated 29.04.2025. It is an admitted position that thereafter an advertisement for direct recruitment to the single post, bearing Advertisement No. 1/2026 was issued, on 25.02.2026. Copy of the advertisement is annexure P-2.
5. It is submitted that in view of the amendment to the relevant rule by a notification dated 11.09.1980 appointment to the post of Librarian was to be made by way of a promotion.
6. The learned advocate, therefore, submits that a direction should have been issued by the Tribunal for promoting the petitioner to the post of Librarian.
7. On going through the Original Application and documents annexed with the same we find that the requisition dated 29.04.2025, referred to in the Original Application was not put to challenge. The second advertisement dated 25.02.2026 was also not put to challenge. As a result of the communication and advertisement, the recruitment process for the single post on which the petitioner claims promotion, was set in motion. The last date for making applications was 19.03.2026.
8. There is no averment in the Original Application that there is any bar in resorting to the process of direct recruitment to the post of Librarian. On perusal of the

advertisement we find that Clause 1 of the advertisement under the heading “**INFORMATION**” reads:

“1. The qualifications prescribed in the advertisement are as per the notified recruitment rules issued by Government.”

9. The advertisement, therefore, has been issued under a notified recruitment rules, to which the petitioner has not made any reference. There is no case made out by the petitioner that the direct recruitment process for the single post of Librarian is in any way suffering from any infirmity whatsoever. There is also no assail to the recruitment process.
10. Under the circumstances we find that petitioner cannot make out an enforceable claim for issuance of a direction even for her consideration for promotion to the single post, much less a direction being issued to promote her to the single post, for which the recruitment process was set in motion, and the last date for making applications lapsed long back. If at all the recruitment process was suffering from any infirmity. The petitioner was required to make out a case in that respect and challenge the recruitment process.
11. The petitioner has failed to make out any enforceable claim for issuance of direction/s as prayed for in the Original Application.
12. The writ petition is dismissed.
13. The pending Original Application before the West Bengal Administrative Tribunal bearing O.A. No. 346 of 2025 is also disposed of accordingly.

14. Urgent Photostat Certified copy of this order, if applied for, be supplied to the parties upon compliance with all necessary formalities.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)