

30-01-2026
ct no. 13
Sl. 2
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W.P.A. 11175 of 2022

Md. Razibul Islam

-Versus-

The State of West Bengal & Ors.

Mr. Arindam Das,
Mr. Shiprovon Kr. Sen,
Ms. Dibyanjona Das.

...for the petitioner.

Mr. Santanu Kr. Mitra, Id. Sr. Govt. Adv.
Mr. Amartya Pal.

..for the State.

Mr. Siddhartha Banerjee,
Mr. Anjan Bhandari.

..for the High Court Administration.

1. Mr. Siddhartha Banerjee, learned counsel appearing for the High Court Administration has obtained instruction.
2. It seems that the private respondent who was never represented in this proceeding, had availed of the OBC-A EC category in an employment process. He, however, did not join the post.
3. According to Mr. Banerjee, therefore, unless a person joins the post in question, he cannot be deemed to have availed the OBC-A EC category.

4. This Court is of the view that since the private respondent has never chosen to participate in the instant proceeding, he has no objections to the prayer made herein.
5. It is quite possible that the private respondent has taken the advantage of higher marks and obtained an employment in a general category. It is equally possible that he has not chosen Government service at all. The petitioner cannot be held to ransom by the private respondent any more.
6. In that view of the matter, this Court directs the District Judgeship of Paschim Bardhaman to absorb the petitioner in the post of Group-C LDC in the OBC-A EC category within a period of one month from the date of communication of a copy of this order. His employment and other service benefits shall commence from the date of his joining of service.
7. With the aforesaid observations, W.P.A. 11175 of 2022 shall stand disposed of.
8. There shall be no order as to costs.
9. Written instruction from the learned District Judge, Paschim Bardhaman dated 17th January, 2026 is kept with the record.

10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)