25.11.2026

Sl. no. DL/39
Court No. 18

Asraf, A.R.(Ct.)

In the High Court at Calcutta

Constitutional Writ Jurisdiction

Appellate Side

Case No.

WPA 32975 of 2026

In the matter of :

PIYASHA GHOSH

... Petitioner

VS.

THE STATE OF WEST BENGAL & ORS.

... Respondents

For the Petitioner :

Mr. Sayan Mukherjee

... Advocate

For the Respondents / State :

Mr. Piush Chaturvedi, Sr. Advocate
Mr. Sujit Bhunia

... Advocates

1. Affidavit of service filed in Court today be kept with the record.

2. The petitioner is aggrieved that her candidature in the OBC-B category has been subsequently categorized in the Unreserved category. The reason for this being that by a notice dated 29th October, 2026, the West Bengal Police Recruitment Board had informed all prospective candidates to change or modify or update their category by accessing the link available on the website of West Bengal Police Recruitment Board within 2nd November, 2026 to 6th November, 2026. The notification further provided for defaults in case such updation was not by candidates who had applied under the OBC-A or OBC-B category. In fact, for such candidates (OBC-A and OBC-B), it was mandatory to update their caste certificates.

This is understandably so, since the OBC list had undergone a sea change by virtue of an order of this Hon'ble Court in **Amal Chandra Das -vs- State of West Bengal & Ors.**. The default was that if such updation was not done, the said candidate would be treated as an Unreserved candidate.

3. The petitioner is aggrieved that she was unable to make this updation, since she was not aware of this notice dated 29th October, 2026.

4. Mr. Mukherjee, learned advocate appearing for the petitioner has made the following submissions :-

a. The petitioner ought to have been informed personally over telephone.

b. The petitioner was OBC-B category from birth and continued to be so irrespective of any updation.

c. The verification of documents is to be done on the date of the personality test. Hence, she should be allowed to take the personality test as an OBC-B candidate, when her documents can be verified.

d. The petitioner had secured much higher marks from the cut-off

required of an OBC-B candidate at 94. She has obtained 101.

e. The petitioner's status cannot be arbitrarily altered from OBC-B to Unreserved category, merely because the petitioner was unable to update the form within the requisite timelines.

f. He has also placed reliance on a decision of this Court in **WPA 29788 of 2026 (Nilanjona Kundu & Ors. -vs- The State of West Bengal & Ors.)** whereby a candidate was granted liberty to make formal application before the commission regarding the Reserved category.

5. Mr. Chaturvedi, learned Senior Advocate appearing for the respondents submits the following :-

a. The petitioner like all other candidates was required to update her status between 2nd November, 2026 and 6th November, 2026. Not having done so, the default clause in the notice came into operation and the petitioner has now been

categorized in the Unreserved category.

b. The certificate sought to be relied upon by the petitioner is dated 19th November, 2026. Even if the petitioner were to be given an opportunity to participate in the Reserved category (OBC-B), the same would mean extending a discrimination in favour of the petitioner, by accepting a certificate beyond the stipulated timeline as specified in the notice dated 29th October, 2026. The certificate is dated 19th November, 2026 and is beyond the timelines as stipulated in the notice.

c. The candidates of OBC categorization have to give the recent certificates as such candidates availing reservation may fall in the Creamy Layer. The persons classified in the Creamy Layer are not given benefit of any such reservation.

d. He submits that the notice of 12th November, 2026 specifies “the candidates will be required to

upload their relevant documents prior to download their e-Call Letter for Personality Test. They are advised to keep the following documents ready for uploading", which means that the incumbents will all have to upload the requisite certificates. Only after uploading, would they be considered in a particular category and if the Call Letter was sent to them for the Personality Test, they would be able to download such document. Therefore, not uploading the certificates in the requisite category would disable a person to participate in the recruitment process under that particular category, especially for OBC-B category candidates, who would then be classified under Unreserved category.

6. I have heard the learned advocates for the parties and considered the documents and decisions relied upon by them.

7. This is a case of mistake or at least a case of missed opportunities. The petitioner ought to have been more careful and diligent. The petitioner while participating in a examination

process, which has unfortunately lingered on for more than two years now, should have acted with more diligence and kept watch on the concerned website of the recruiting authority. Not having done so, the petitioner cannot belatedly claim any benefit which under the notification is restricted to rigid timelines. The timelines have long expired. Even a slight a infraction towards the petitioner at this stage would mean two of the following occurrences :-

a. The petitioner would be given a leverage which is not available to others who are similarly situated. This, since the petitioner was unable to update her caste particulars (certificate) within the time stipulated from 2nd November, 2026 till 6th November, 2026. Admittedly, as it appears from the certificate, the same was not even available to the petitioner. Thus, an infraction in favour of the petitioner would have to be caused to allow the petitioner to participate as an OBC-B candidate.

b. Even if the petitioner were to be permitted to participate in the Unreserved category, to which she has been shifted by virtue of the

default clause in the notice, it would entail a discrimination in her favour or at least a leverage, since the petitioner has secured 101 marks, while the cut-off for Unreserved category is 102.5. Thus, persons between 101 to 102.5 would be affected adversely if the petitioner was permitted to participate in the process of Personality Test in the Unreserved category.

8. The petitioner's submission that the petitioner along with all others ought to have been intimated personally, merely because her telephone number had been provided is rather farfetched if not outrageous. With thousands of candidates participating, the authorities would be left with no viable option to communicate at all if they were to communicate individually with each person who had been short-listed.

9. The question of verification of documents arises only when the petitioner had been shortlisted. The question of shortlisting would arise, if the petitioner had successfully uploaded her documents. Verification means the act or process of confirming the accuracy or authenticity of a document. Thus, if no document had been uploaded, there is nothing to verify. Uploading

the requisite document would entitle a candidate to be treated in a particular category. If the candidate was found successful in that category, he/she would be shortlisted and be called for personality test. It is at this juncture, that documents uploaded would be verified. The petitioner not having uploaded the document cannot claim to be in a particular category and be shortlisted thereunder to tender her documents for verification at the time of personality test. There was nothing on record to show on the day, that she belonged to OBC-B category.

10. There is also nothing to show that on the days (2nd November to 6th November, 2026) the petitioner had a valid certificate. The document disclosed by the petitioner is of 19.11.2026. The certificate is beyond the prescribed timeline. Thus, the plea of the petitioner, that she could not upload the document as she did not know of the notification is also not sacrosanct. Though the petitioner applied in August, 2026, she did not possess the certificate within the prescribed timelines.

11. The petitioner was also unable to place or establish that she had indeed missed the notice of 29th October, 2026 inasmuch as the certificate which she sought to rely upon for updation of her caste is dated 19th November, 2026, i.e., after

the time to submit the same for updation had expired on 6th November, 2026.

12. The decision relied upon by the petitioner is on a completely different issue. The issue related to updation insofar as the OBC category of the candidates is concerned at a prior date when this strict timelines had not been prescribed yet. The timelines were prescribed only by the notice of 29th October, 2026 and the order relied upon by the petitioner was of 13th October, 2026. In the said matter, there was a window to permit the petitioners therein who submit an application in the offline mode to the commission. In the case at hand, there is no such possibility as the entire chapter has now been close and the Personality Test is to commence from 26th November, 2026, i.e., tomorrow.

13. Any sort of concession given to the petitioner would create an anomalous situation giving rise to discrimination in favour of the petitioner as against similarly situated persons. It is possible that there several other candidates who have not been able to upload/update their current status insofar as the caste certificate is concerned within the specified timelines.

14. I am not in favour of disrupting a process which has been underway for a while now, unless it is shown that the process undertaken is de hors the

provisions of law or is vitiated by any illegality or irregularity. None of these aforestated are grounds for which the petitioner seeks this concession.

15. In view of the aforestated findings, the writ petition fails and is accordingly dismissed.

16. However, there shall be no order as to costs.

17. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Reetobroto Kumar Mitra, J.)