

Item No.36
14.01.2026
Court. No. 2
GB

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION*

WPA 38 of 2026

Ganesh Dey
VS
The State of West Bengal & Ors.

*Mr. Gopal Sah,
Mr. Arko Sarkar*

...for the Petitioner.

*Mr. Hirak Barman,
Mr. Sumit Kumar*

...for the State.

1. Affidavit-of-service filed in Court today, is taken on record.
2. The writ petition is disposed of with a direction upon the Sub-Divisional Officer, Tufanganj to give a hearing to the petitioner and allow the petitioner to submit documents in support of his contention that he belongs to a particular OBC community. Thereafter, a decision shall be passed by the Sub-Divisional Officer, Tufanganj and communicated to the petitioner. The fact that the petitioner's brother also has a OBC certificate, shall also be taken into consideration.
3. The entire exercise shall be completed within a period of ten days from the date of communication of this order.
4. This Court finds that the case of the petitioner was rejected without any reasons. Such reasons are

required to be disclosed by the authority in justification of the decision. If any enquiry is made with regard to the caste certificate of the petitioner, then the enquiry report must also be handed over to the petitioner.

5. Although, Mr. Kumar, learned advocate for the State submits that there is a provision of appeal and the certificate of the brother is not a revalidated one, this Court is of the view that the issue shall be decided afresh by the authority concerned. The impugned decision is set aside.
6. Accordingly, the writ petition is disposed of.
7. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)