537 **12.11.2026**

Ct. No. 18

Ab

WPA 23276 of 2022

Anupam Ganguly
Vs.
The State of West Bengal and others.

Mr. Supratick Syamal,
Ms. Arkarupa Ray.
... for the petitioner.

Mr. Sumit Kumar Panja,
Mr. Sujit Sankar Koley.
... for the WBSETCL.

1. The petitioner is aggrieved by the non-consideration of his employment eligibility by the authorities.
2. The petitioner is a diploma holder in Electrical Engineering had applied pursuant to the advertisement issued by the authorities for employment to the post of Junior Engineer.
3. The petitioner presented himself as a candidate under the reserved category of physically handicapped (PWD-ID).
4. The ID refers to disability in the realm of Autism/intellectual disability/specific learning disability/mental illness and multiple disabilities.
5. However, at the time of presenting his candidature, the petitioner disclosed a disability certificate, which specified that he was orthopedically challenged. For obvious reasons, his candidature was rejected on the ground of disclosing false information on September 27, 2022. The rejection specified that orthopedic

disablement did not qualify as a PWD-ID category. Orthopedic disablement did not fall within the realm of autism, mental illness etc.

6. The petitioner has presently in the course of filing several pleadings in the writ petition, disclosed a disability certificate issued sometime on March 12, 2025 showing the petitioner to be disabled on account of “locomotor disability – flat foot and mental illness – schizophrenia”.

7. Mr. Syamal, learned Advocate appearing for the petitioner, thus, submits that the petitioner was well within the prescribed parameters as he had schizophrenia, which qualifies as mental illness. The petitioner’s candidature ought to have been considered as such and the rejection by the authorities is, therefore, unfounded and should be set aside.

8. Mr. Panja, learned Advocate appearing for the petitioner along with Mr. Koley, learned Advocate, submits that the entire process of recruitment has already been concluded, having commenced sometime in 2022. In fact, the rejection was also made in September 2022 and presently cannot be entertained.

9. I have heard the learned Advocates for the parties and perused the documents on record.

10. The rejection of September 2022 has been

challenged in this writ petition, which has been filed in 2022 itself. Hence, it cannot be said that the petitioner had not pursued his remedies diligently.

11. However, it is also fairly undisputed that the petitioner's disability, as it appears from the certificate rendered by him was one relating to a orthopaedic problem. Such orthopaedic disability does not qualify in any manner whatsoever as a mental or autistic disability.

12. The petitioner's present certificate, which he has disclosed in this proceeding, is one of March 2025 and cannot be relied upon to relate back to the petitioner's disability in 2022, when the recruitment process had commenced. The certificate relating to the present times cannot be used to relate back to the date of recruitment of the petitioner for which a benefit is claimed by him.

13. The only other point raised by the petitioner is that he had obtained a considerably higher rank in the merit list and ought to have been considered in the unreserved category, even if the disability certificate produced by him was unacceptable. This would tantamount to a change of category of the petitioner form reserved to unreserved. It would therefore and thereby impinge on the rights of a candidate, who had applied in the unreserved category itself.

14. The petitioner cannot be allowed to take advantage of his position merely because his candidature in a reserved category has been rejected on the ground of furnishing false, incorrect and wrong information.

15. The petitioner's refuted and renewed efforts only points to the fact that the petitioner is desperate to get the job at any cost. The petitioner having applied under the reserved category and having furnished a certificate, which was leveled as one that wrong and incorrect information as in course of this proceeding, furnished a second certificate seeking to apply with the "ID classification of reservation".

16. Not finding favour in respect thereof, the petitioner has also, during the course of submission, presented himself to be considered in the unreserved category. The continuous efforts of the petitioner to obtain the recruitment on one ground or the other, does not reflect well on the petitioner.

17. The petitioner on the date of the application was found to be not within the reserved category as prescribed. The petitioner has produced a certificate, which is of 2025, thus, much beyond the recruitment period for which the same cannot be relied upon.

18. In view of the afore-stated, the rejection of the petitioner's candidature in the PWD-ID category has been rightly made and I find no reason to interfere

with such rejection.

19. In view of the afore-stated, the writ petition fails and is accordingly dismissed.

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

21. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)