

WA 697/2005

BEFORE

THE HON'BLE MR JUSTICE D. BISWAS, CHIEF JUSTICE(ACTG.)

THE HON'BLE MR JUSTICE B.D.AGARWAL

Heard Mr SK Medhi, learned counsel for the appellant; Mr BJ Talukdar, learned State counsel; Mr C. Baruah, learned counsel for the respondent Nos.3 and 4 and Mr D. Das, learned counsel for the respondent Nos.7,8 and 9.

2. This appeal is directed against the judgment dated 11.8.2005 passed by the learned Single Judge in WP(C) Nos.5480/ 2005 and 6964/2004. By the impugned judgment, the learned Single Judge dismissed the WP(C) No.6964/2004 filed by the appellant praying for appropriate direction for consideration of his case for appointment as Food Inspector.

3. On perusal of the judgment under appeal and other materials available with the memo of appeal, we find that the appellant who was one of the contestants for 5(five) posts of Food Inspectors has been placed at serial No.12 in the merit list published by the Commission on 4.9.2004. There is virtually no challenge to the legality and validity of the selection process initiated by the Commission and the list published except that the candidate placed at serial No.1 was over-aged. But his age was duly relaxed by the State authority. Therefore, challenge to the selection process on this count does not hold good. The position of the appellant in the merit list is at serial No.12. Under no circumstances he could have been considered by the authority for appointment against any of the posts advertised. We find no merit in this appeal and the same shall stand dismissed.