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(OP)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA/29934/2025

ASUTOSH PANDEY

VS.

THE STATE OF WEST BENGAL & ORS.

Mr. Suman Sankar Chatterjee, Advocate

.....for the Petitioner

Mr. Kalyan Bandopadhyay, Sr. Advocate

Mr. Biswarup Bhattacharya, Advocate

Ms. Pramiti Bandopadhyay, Advocate

Mr. Arka Kumar Nag, Advocate

Mr. Rahul Kumar Singh, Advocate

.....for the WBCSSC

Ms. Saswati Chatterjee, Advocate

.....for the WBBSE

1. Affidavit of service, as filed, be kept with the record.
2. The petitioner's grievance is that even though he was a physically handicapped candidate and had initially applied as such, the second round of application was made in the general category. This, primarily, as submitted by the learned Advocate for the petitioner, was on account of the petitioner not being able to access his electronic mail ID.
3. However, as things stand presently, the petitioner had applied in the general category. He has not qualified under the general category, but the marks secured by the petitioner are above the cutoff marks stipulated for the physically handicapped category. But it is not possible for the petitioner to be classified as a candidate in the physically handicapped category, though there are six vacant seats in the said category.
4. Since there are six vacant seats, respondent no. 4, is directed to consider the case of the petitioner to any of such vacant seats, without in any manner interfering with or infringing the rights of any other physically handicapped candidates who are entitled to be appointed to these seats.

5. With such directions, the writ petition is disposed of. No order as to costs.
6. Since no affidavits have been called for, allegations contained in the writ-petition, deemed not to have been admitted by the respondents.

(Reetobroto Kumar Mitra, J.)