

21
17.02.2020.
d.p.

W.P.A. 231 of 2020

Bithi Roy
-versus
The State of West Bengal & Ors.

Mr. Somesh Kumar Ghosh.
...For the Petitioner.

Mr. Debabrata Dhar,
Ms. Paramita Sahu.
...For the State.

The petitioner claims that pursuant to a notice published by the Secretary of the West Bengal Board of Primary Education on 2nd November, 2017, the petitioner a TET qualified candidate submitted the documents as mentioned in the said notice within the period as mentioned therein.

The grievance of the petitioner is that the office of the West Bengal Board of Primary Education received the aforesaid documents but without issuing any receipt thereof.

There is no record and/or document annexed with the writ petition to show that the documents in question which were required to be submitted in response to the aforesaid notice was at all submitted in the office of the West Bengal Board of Primary Education. The date for submission of the documents expired on 9th November, 2017. The petitioner approached this Court in January 2020. There is hardly any explanation with regard to the delay in approaching the Court or for not filing any application

before the respondent authority prior to approaching this court for their alleged laches.

Though there is no fixed time period within which an application under Article 226 of the Constitution of India is to be filed but the writ Court can always take into consideration the reasons for delay in approaching the Court at a belated stage.

I am not convinced with the reason for approaching this court at such a belated stage and I do not intend to exercise my discretion in entertaining the instant writ petition. The writ Court ought not to come to the aid of an indolent litigant who slept over his right for a considerable period of time. The writ petition is thoroughly time barred.

W.P.A. 231 of 2020 stands dismissed.

Urgent photostat certified copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Amrita Sinha, J.)