

18.08.2021
SL No. 44
Court No. 24
(P.M.)

WPA 9525 of 2021

Samiran Maity
Vs
The State of West Bengal & Ors.
(Via Video Conference)

Mr. Anil Kumar Chattopadhyay
... for the petitioner

The petitioner being the third empanelled candidate for the post of Laboratory Attendant seeks for issuance of letter of appointment in his favour.

It appears from records that the petitioner approached this Court on an earlier occasion by filing W.P. 4577(W) of 2016 which was dismissed by an order dated 18th April, 2016 wherein the Court held that as there was only one vacancy and the petitioner being the third empanelled candidate cannot seek any relief in his favour. The Court found that the petitioner did not have a legally enforceable right.

Presently, the petitioner submits that the post in question is still vacant and the authorities may be directed to consider him for being appointed in the said vacant post.

I am afraid that the prayer of the petitioner cannot be allowed. The panel in question was prepared sometime in the year 2016 or prior thereto. The same expired within a period of one year there from. At such a late stage the petitioner cannot pray for any order in respect of the panel

which expired long ago. There is no merit in the writ petition.

WPA 9525 of 2021 stands dismissed.

Affidavit of service filed in Court is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)