

17.08.2022.
Court No.13
Item No. 728
pk

W.P.A. No. 7088 of 2018

**Atish Ghosh
Versus
State of West Bengal and others**

Mr. Asok Kumar Ganguly
... for the petitioner.

Mr. Bhaskar Prasad Vaisya
Mr. Sagnik Chatterjee
Mr. Suman Dey
... for the State.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey
... for the WBCSSC

Affidavit-in-opposition and affidavit-in-reply filed
in Court are taken on record.

The petitioner participated in the tenth RLST
selection process to the post of Assistant Teacher. The
petitioner succeeded in the physical handicapped
category.

On the issue of verification of the certificates of a
physically handicapped person, a large number of writ
petitions were filed including WP 5329(W) of 2010 by
the petitioner. In the said proceedings which also
resulted in a contempt application being CPAN 2208 of
2014, the petitioner was asked to appear before the
Apex Medical Board for review of his physical disability
status.

On 20th May, 2015 the petitioner was asked by the Chairman, Medical Board to come forward for assessment of his physical disability.

The petitioner neither appeared before the Medical Board pursuant to request dated 28th May, 2015 nor did he take any step for reconstitution of the Medical Board, even after the order dated 11th September, 2017 (supra).

The writ petitioner is himself responsible for his omission and has done himself in.

This Court notes that the claims/prayers in the writ petition have even otherwise been extinguished by efflux of time. After long passage of nine years, it may not be appropriate to revive any matter under an old selection process since the subsequent recruitment processes have also been undertaken by the School Service Commission.

The petitioner relies upon an order of a Co-ordinate Bench dated 25th September, 2019 passed in WP 9371(W) of 2015(**Umakanta Das Vs. The Chairman, West Bengal Regional School Service Commission**). In the said decision liberty was granted to the petitioner therein to appear before a Medical Board in terms of the order referred to herein above.

This Court notes that the petitioner waited for three more years after 25th September, 2019 (supra).

In that view of the matter, no relief can be granted to the petitioner.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)