

01.12.2022
Srimanta
Sl. No. 31
Ct. No. 238

WPA/13061/2017

Tushar Kanti Ghosh

-Vs.-

The State of West Bengal & Ors.

Mr. N. C. Bihani, Adv.,
Mrs. P. B. Bihani, Adv.,
Mr. Soumyojit Ghosh, Adv.,
Mr. Soumya Mukherjee, Adv.

...for the petitioner.

Sk. Md. Galib, Adv.

...for the respondents.

The name of the petitioner figured in the relevant panel in the second position for the post of "Farm Labour" in the year 2000. The first empanelled candidate did not join the post. The petitioner claimed the appointment being the second empanelled candidate. The authority denied such claim on the ground that the post in question was a single cadre post. The reasoning of the authority cannot be accepted even if the post was a single cadre post. The petitioner being the second empanelled candidate, had a right to be appointed when the first empanelled candidate declined to join the post provided the panel was alive.

It cannot be overlooked that the panel was prepared in the year August, 2000. The fact remains that the petitioner approached this Court for the first time only in the year 2012. The petitioner has now become age barred. I am of the view that the panel has also its life. Having regard to the aforesaid facts I am of the view that at this juncture no relief can be granted to the petitioner. Accordingly, WPA/13061/2017 is dismissed.

(Kausik Chanda, J.)