

26-07-2022  
ct no. 13  
Sl. 18  
sp

**WPA 14908 of 2022**

Jayati Sarkar & Ors.

**-Versus-**

The State of West Bengal & Ors.

**Mr. Dibyendu Chatterjee,  
Mr. Pritam Majumder,  
Ms. Piyali Paul**

**.....for the petitioners**

**Mr. Santanu Kumar Mitra, Id. Sr. G.P.,  
Mr. Mirza Kamruddin**

**...for the State**

**Dr. Sutanu Kumar Patra,  
Ms. Supriya Dubey**

**..for the WBCSSC**

The petitioners seek extra marks for allegedly wrong marking of answers, given by the examiners School Service Commission in the History subject. The selection test was part of the first SLST, conducted by the School Service Commission for recruitment to the post of Assistant Teacher. Examination was held in the year 2016 and the result was published in 2017. The writ petition was filed in the year 2017.

The petitioners would rely upon a decision of a Co-ordinate bench of this Court in the case of ***Manabendra Pramanik and Anr. Vs. State***

**of West Bengal and Ors.** in WPA 10359 of 2022 dated June 27, 2022.

Dr. Sutanu Patra, learned counsel appearing for the School Service Commission, submits that he could not point out on that day in the said writ petition, due to inadvertence that the selection process was completed in the year 2017 and the writ petition itself was belated and an afterthought.

This Court is of the view that the writ petition itself is indeed an afterthought and has been filed after the order dated June 27, 2022 (supra) was passed. The petitioners are fence sitters. The writ petition is bad for delay and laches as the petitioners woke up in the year 2022 in respect of allegedly incorrect marks awarded in the year 2016.

For the reasons stated hereinabove, the writ petition must fail and is hereby dismissed.

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.)**

