

18.04.2022  
Item No.66  
Ct. No.17  
S.A.

**W.P.A. 20931 of 2021**

**Mukter Hossain**  
**-vs-**  
**The State of West Bengal & Ors.**

Mr. Debasis Kar  
Mr. Husen Mustafi  
...for the petitioner  
Ms. Manali Biswas  
...for the respondent no.4

The petitioner was appointed, according to him, by the Managing Committee of the school in 1998. Thereafter for the reasons best known to him, he filed one writ application along with another in 2004 wherein this court on 22.02.2011 directed that in selection process to fill up the posts in question in future, the petitioners will be at liberty to participate in the said selection process provided the petitioner and the other were eligible for participating in such selection process.

Now, for selection of post of a clerk in a school, the School Service Commission initiated more than once the selection process and it is not known today whether the petitioner participated any such selection process or not. The petitioner has submitted in reply to a question put by this court that there is no pleading as to whether he participated in any

selection process conducted by the School Service Commission for the post of clerk.

Therefore, I do not find any reason to interfere in this matter as there is absolutely no cause of action for the petitioner because the petitioner, if he had wanted to participate in the selection process initiated by the School Service Commission which he has not done till date as I understand that for this reason no such pleading has been made in the writ application.

I find that the application is fully frivolous and without any merit whatsoever.

This writ application is required to be dismissed with cost. But considering that the petitioner was a clerk in a school, if at all, I am not imposing any cost upon the petitioner in this matter.

However, the matter is dismissed.

No costs.

**(Abhijit Gangopadhyay, J.)**