

17.07.2023
SL No.4
Court No.8
(gc)

**FMA 24 of 2017
CAN 1 of 2016 (Old No: CAN 9571 of 2016)
CAN 2 of 2021**

**Sri Kashinath Bhattacharya
Vs.
The State of West Bengal & Ors.**

Mr. Ujjal Ray,
Mr. Sk. Abdur Rahim,
...for the Appellant.
Mr. Amitava Chaudhuri,
Mr. N. Roy,
...for the Respondent College.

Re: CAN 2 of 2021

This application is appearing in today's list by mistake. The said application was disposed of on 11th November, 2021.

The Computer Section and the department concerned shall make an appropriate endorsement to that effect.

The said application shall not be shown as pending.

**Re: FMA 24 of 2017
With
CAN 1 of 2016
(Old No: CAN 9571 of 2016)**

The appeal is arising out of the judgment dated 12th July, 2016 in a writ petition in which the writ petitioner has prayed for regularization of his service. The learned Single Judge has come to a finding that the petitioner was appointed on an ad-

hoc basis, initially for a period of four weeks. There was nothing on record to substantiate that the petitioner was appointed in a regular selection process at the post at which the petitioner claims the appointment. The learned Single Judge has also recorded that the selection process was over and the respondent no.6 had already been given an appointment. The challenge to the appointment at a much belated stage should not be entertained as it has reached finality. The petitioner as on date is of 67 years' old. The post is irreversible.

Under such circumstances, we are not inclined to allow the appeal.

Accordingly, the appeal and the application stand dismissed.

However, there shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)