

WPST 227 of 2010

**Chittaranjan Mondal
Vs.
The State of West Bengal & Ors.**

Mr. Asim Hati,
Ms. Nandini Sharma,
Ms. Riya Ballav, Advocates
... .. For the Petitioner

An order dated January 28, 2010 passed by the West Bengal Administrative Tribunal in OA 6652 of 2007 is under challenge in the present writ petition.

By the impugned order, the learned tribunal refused to entertain the original application at the behest of the writ petitioner on the ground that the writ petitioner did not participate in the second interview voluntarily.

Apparently, a selection process was initiated for the purpose of appointment to the post of night-guard on September 18, 2006. The petitioner participated in such selection process. First interview was held. List of the successful candidate was published. A second interview was held. In the second interview, the petitioner did not participate.

When the petitioner approached the High Court, the age of the writ petitioner was 43 years. Over a passage of time, the age of the writ petitioner is presently at about 57 years.

The writ petitioner, voluntarily did not participate in the second interview. In such circumstances, we are

of the view that the petitioner, gave up his right to be considered in the selection process with his voluntary action of not participating in the second interview.

In such circumstances, we find no material irregularity in the impugned order warranting interference.

WPST 227 of 2010 is accordingly dismissed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)