

Dd 22 09.06.2023

WP.ST 235 of 2011

**Lal Prasad & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Surendra Kumar Sharma, Advocate
... .. For the Petitioner nos. 7 and 9

Mr. Tapan Kumar Mukherjee, Id. Sr. adv.
Mr. Somnath Naskar, Advocates
... .. For the State

The writ petition is taken up for hearing for the petitioner nos. 7 and 9. The writ petition was dismissed for default on February 4, 2022. There are a number of writ petitioners. Only writ petitioner nos. 7 and 9 applied for restoration. The co-ordinate Bench allowed such restoration application by an order dated November 11, 2022.

Therefore, the writ petition is considered only for petitioner nos. 7 and 9.

Learned advocate appearing for the petitioner nos. 7 and 9 submits that, the panel prepared after the selection process is incorrect. He submits that the authorities ought to have taken the written examination and erred in not doing so. The penal is, therefore, vitiated.

The writ petitioners before us approached the tribunal with four-fold grievances. One of the grievances was the panel and the process of selection.

The tribunal noted that the petitioner participated in the selection process unconditionally. There was a

note of the authorities that, the written examination will be done away with and will be replaced by an endurance test.

In the facts of the present case, the petitioners participated in the selection process unconditionally. The petitioners participated both in the endurance test and also appeared in the viva voce. The petitioners did not secure adequate number of marks to make it in the appropriate place of the panel to obtain appointment.

The selection process commenced in the year 2006. The impugned order of the learned tribunal is dated June 9, 2011. The writ petition was filed in the year 2011 and it was dismissed for default on February 4, 2022 to be restored on November 11, 2022.

In such circumstances, we find no merit in the present writ petition.

WP.ST 235 of 2011 is, accordingly, **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)