

06.10.2023
SL No.30
Court No.8
(gc)

FMA 4510 of 2014

**Mangalmayee Supakar
Vs.
State of West Bengal & Ors.**

Mr. Satya Ranjan Kundu,
...for the Appellant.

1. We have heard the learned Counsel for the appellant.
2. It appears that the appeal was presented on 27th August, 2014, but no attempt was made to move the appeal. Today, we cannot grant the relief to the appellant even if we take a different view by reason of long passage of time.
3. The learned Single Judge dismissed the writ petition on the ground that the panel had expired in the meantime and the writ petitioner cannot be accommodated at this stage. The learned Single Judge has also relied upon two decisions of the Apex Court in ***State of Punjab Vs. Raghbir Chand Sharma & Anr.*** reported at **(2002) 1 SCC 113** and ***Gujarat State Deputy Executive Engineers' Association Vs. State of Gujarat & Anr.*** reported at **1994**

Supp. (2) SCC 591 in order to arrive at a finding that the waiting list prepared cannot outlive the validity of the panel which in the instant case was up to 8th April, 2009.

4. Under such circumstances, we do not find any reason to interfere with the order passed by the learned Single Judge.
5. The appeal fails and, accordingly, stands dismissed.
6. However, there shall be no order as to costs.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)