

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

WPA 2777 of 2022

Jakir Hossain
Vs.
The State of West Bengal and Ors.

Mr. Ekramul Bari
Mr. Debajit Kudu
Sk. Imtiaj Uddin

...for the petitioner

Mr. Bikramaditya Ghosh
Ms. Bedashruti Bose

...for the State

Item No. 09.

Judgment on: 09.02.2023

BIBEK CHAUDHURI, J. : –

Though it is submitted on behalf of the respondents that the learned counsel for the respondents have not received any instruction, this Court is of the view that no instruction is needed to dispose of the instant writ petition. It is the case of the petitioner that the Government of West Bengal, Education Directorate by issuing a memo No. 1552-UGC dated 5th

December, 2019 empanelled three persons namely Sudhangshu Mohan Adhikary, Jakir Hossain and Atiur Rahaman for the post of the accountant in Sitalkuchi College, Coochbehar.

Jakir Hossain who is the second in the panel is the writ petitioner before this Court. It is the case of the petitioner that the first candidate in the panel namely Sudhangshu Mohan Adhikary got the appointment in the post of the accountant of the said college being the first candidate in the panel. Unfortunately, said Sudhangshu Mohan Adhikary breathed his last on 19th September, 2020. The life of panel lasted for a period of one year from the date of publication i.e., up to 4th September, 2020. On the death of Sudhangshu Mohan Adhikary the petitioner approached the respondent authority to give appointment in the post of the accountant. The College Authority prayed for permission to induct the petitioner as an accountant from the said panel. The Director of Public Instruction, respondent No.2 herein refused to grant such permission.

So, is the instant writ petition.

It is needless to say that life of the panel remains for one year or till the joining of the selected candidate whichever is earlier. On appointment and joining of Sudhangshu Mohan Adhikary, since deceased the force of the panel ends.

In view of such circumstances, the petitioner cannot claim service on the basis of the panel for the year 2019.

Accordingly, I do not find any merit in the instant writ petition and the same is **dismissed**.

(Bibek Chaudhuri, J.)