

04.03.2024
Court No.13
Item No.1509
AP

WPA 331 of 2021

Aftab Alam

Vs.

The State of West Bengal and Ors.

Mr. Jakir Hossain

Mr. S. Shah

... for the petitioner.

1. Affidavit of service filed in Court today is taken on record.
2. Despite directions, the respondents have not filed affidavit-in-opposition.
3. The writ petitioner obtained TET qualification in the year 2014. He was not allowed to participate in the selection process conducted in the year 2020 because he was above 40 years of age.
4. At the time when the writ petition was moved, the respondents submitted that Rule 6(1) read with Rule 6(3) and Rule 4 Sub-Clause-D debars a candidate from appointment if he/she has crossed the age of 40 years as on the date of advertisement.
5. It is further submitted that TET qualified candidate of the year 2014 were allowed to participate in the recruitment process of 2016.
6. There is no averment in the writ petition that the writ petitioner participated in any such recruitment process held in the year 2016.

7. Since no post has been kept reserved or interim order was made when the writ petition was moved on 11th January, 2021, no relief can be granted to the writ petitioner. No such interim order could at all have been passed since the writ petitioner already had an opportunity of participating in the recruitment process held in the year 2016.

8. In view of the above, no relief can be granted to the writ petitioner.

9. With the aforesaid observations, the writ petition is disposed of without any order.

10. There shall be no order as to costs.

11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)