

Ml- 06.09.2024
148 Ct.18
rkd

W.P.A. 6584 of 2023

Rahul Dev Dan & Ors.

-vs-

The State of West Bengal & Ors.

Ms. Ruchira Chatterjee,
Mr. Vishak Bhattacharya,
Ms. Biyanka Bhattacharya

....for the petitioners.

Dr. Sutanu Kuamr Patra,
Ms. Supriya Dubey

....for the WBCSSC.

Mr. Biswabrata Basu Mallick,
Mr. Sayan Ganguly

....for the State.

Affidavit-of-service filed on behalf of the
petitioners is taken on record.

Ninety one petitioners have approached this
Court seeking direction upon the respondent
authorities to permit them to appear before the
Personality Test Board and to conduct personality
test in connection with the selection process,
namely, 12th Regional Level Selection Test, 2011.

In support of the case made out the learned
advocate representing the petitioners has relied
upon an order dated 29th June, 2022 passed by a
coordinate Bench on a writ petition being WPA 450
of 2013 (Md. Kamruzzaman & Ors. -vs- The State
of West Bengal & Ors.).

It is also contended that if in the writ

petition of similarly circumstanced candidates an order was passed appointing experts of Jadavpur University to examine correctness of the allegations of the writ petitioners relating answer keys then the present writ petitioners are also entitled to get similar order. Accordingly petitioners prayed for necessary directions.

State respondents and the West Bengal Central School Service Commission are represented by learned advocates who have opposed the prayer on the ground of delay since the panel prepared in connection with 12th RLST, 2011 expired on 24th March, 2015.

This Court has considered the respective submissions of the parties and the order passed by the coordinate Bench on 29th June, 2022 passed in another writ petition being WPA 450 of 2013.

Petitioners participated in 12th RLST, 2011 and they were not successful. The panel was prepared by the West Bengal Central School Service Commission on concluding the said selection process and the panel expired on 24th March, 2015.

Order dated 29th June, 2022 was passed by the coordinate Bench in the writ petition being WPA 450 of 2013 since the writ petition was filed within the lifetime of the panel. It is already recorded that

the panel expired on 24th March, 2015; therefore petitioners in the writ petition being WPA 450 of 2013 are not similarly placed like the present petitioners.

It is well settled that the right of the candidates who participated in the selection process does not survive after expiry of the panel. In the present case precisely after eight years of expiry of the panel the writ petition has been instituted on 17th March, 2023.

In above conspectus, no relief can be granted to the petitioners.

Accordingly, the writ petition stands dismissed.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)