

ML 1917
22.05.2024
d.p.

**In The High Court At Calcutta
Constitution Writ Jurisdiction
Appellate Side**

W.P.A. 11969 of 2023

**Somen Mondal
-versus
The State of West Bengal & Ors.**

**Mr. Probal Sarkar.
...For the Petitioner.**

Affidavit-of-service filed in Court today is taken on record.

The Court in an earlier writ petition filed by the petitioner being WPA 2110 of 2023 passed an order on 7th February 2023 directing the District Panchayat & Rural Development Officer to intimate the petitioner the result of the recruitment process which was held pursuant to the employment notification No. 1171/P & RD dated 26th July, 2016 and to further intimate whether appointments were given upon completion of the recruitment process or not.

The DPRDO by communication dated 28th March 2023 intimated the petitioner that the recruitment process had been finalized by preparing the list of the successful candidates and the appointments were given upon completion of the recruitment process by issuance of a provisional appointment letter.

The petitioner has made a further representation before the DPRDO requesting the names and other

details of the candidates who were successful in the recruitment process and to disclose the marks and rank obtained by his client vis-a-vis the marks and the rank secured by all other candidates.

The Court took note of the allegation made by the petitioner that the result of the recruitment process was not published. Despite noticing the fact that the result was not published, the Court did not pass any order for publication of the panel.

At this stage the petitioner repeats the same prayer. The Court is of the opinion that the prayer of the petitioner cannot be allowed. In view of the principle of constructive *res judicata*, the prayer by the petitioner which stood disallowed in the earlier occasion cannot be allowed at this stage.

The writ petition fails and is hereby dismissed.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)