

30.08.2024
Court No. 18
Item No.18
(**Suvendu**)

WPA 19273 of 2024

Amit Kumar Das
-Versus-

The State of West Bengal & Ors.

Mr. Bidyut Kumar Halder
Mr. Indranil Halder
.....for the petitioner

Mr. Suman Dey
.....for the State

Pursuant to the order dated 2nd August, 2024 report in the form of affidavit has been filed today and same is taken on record.

From the said report it appears that based on interview held on 23rd October, 2022 a three men panel was prepared on 11th November, 2022 by the school authority which was approved by the District Inspector of Schools (SE), Kolkata vide memo dated 30th March, 2023. It is also submitted on behalf of the State respondents that in terms of approval of panel as accorded by the concerned District Inspector of Schools, first empanelled candidate joined the post as clerk in the school.

In addition thereto, consolidated score-sheet in connection with performance of the

candidates including the petitioner who participated in the interview on 23rd October, 2022 is appended to the report at pages 59 and 60 wherefrom it appears that third empanelled candidate namely Kaushik Sharma obtained 9.7125 whereas petitioner obtained 7.5000. From consolidated score-sheet it can be concluded that petitioner did not come within the zone of consideration.

Another issue needs to be taken into consideration that the panel was approved by the concerned District Inspector of Schools (SE) vide memo dated 30th March, 2023 and in terms of the recruitment Rules the said panel for appointment in the post of clerk remained alive till 29th March, 2024 whereas the writ petition has been filed on 30th July, 2024, which is after expiry of the panel. It is trite that right of candidate who participated in selection process does not survive after expiry of the panel. Therefore, today even an opportunity is granted to the petitioner to file exception to the report filed on behalf of the State respondents that would not improve the case of the petitioner.

On perusal of the writ petition, it further transpires that not even the first empanelled

candidate has been made party to this writ petition.

In the above conspectus, the writ petition stands dismissed.

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)