

21.08.2024
Ct. No. 18
Sl. No. 19
tbsr

WPA 20380 of 2024

Mousumi Panja
Vs.
The State of West Bengal & Ors.

Mr. Prasenjit Mukherjee
Mr. Manish Kumar Das
Mr. Arghya Kumar Das
....for the petitioner

Mr. Swapan Banerjee
Mr. Diptendu Narayan Banerjee
....for the State

Dr. Sutanu Kr. Patra
Ms. Supriya Dubey
....for the WBCSSC

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

The petitioner participated in the selection
process, namely, 10th Regional Level Selection Test, 2009
and was not selected for being appointed as Assistant
Teacher in Work Education.

Learned advocate representing the petitioner
submits that the selection procedure was in properly
followed which resulted in exclusion of the petitioner
from the zone of consideration and had there been fair
and appropriate selection process conducted by the West
Bengal School Service Commission, the result of
petitioner's participation would have been different. In
support such contention reliance is placed on a report

which is at pages 23-27 of the writ petition. The petitioner points out relevant part of the report concerning the said selection process which was held in 2009.

On behalf of the Commission the learned advocate submits that the panel prepared after conclusion of 10th RLST, 2009 expired on 8th December 2011 and the audit report which is being relied upon on behalf of the petitioner was prepared in 2016-2017. Therefore, according to the Commission after approximately 14 years the grievance of the petitioner relating to the selection process which was conducted by the Commission may not be delved into in exercise of judicial scrutiny.

Having considered the submissions made on behalf of the parties, this Court finds that 10th Regional Level Selection Test, 2009 was held in 2009 and a panel was prepared which expired on 8th December 2011. On behalf of the petitioner reliance has been placed on a audit report wherein certain observations were made concerning the procedure followed by the Commission in concluding the aforesaid selection process of 10th RLST, 2009 which was prepared in 2016-2017. If the issue agitated today on behalf of the petitioner is viewed on reckoning the date of preparation of audit report in the year 2016-2017 in that event too petitioner has

instituted this writ petition precisely after seven years whereas the panel expired on 8th December, 2011.

It is trite that after expiry of the panel the right of the candidates who participated in the selection process does not survive. In the present case the petitioner has approached this Court precisely 13 years after the expiry of the panel.

In view of the aforesaid facts no relief can be granted to the petitioner.

Accordingly, the writ petition stands dismissed.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon compliance with the necessary formalities.

(Saugata Bhattacharyya, J.)