

ML 217
26.06.2024
Ct. No. 18
adeb

W.P.A. 22907 of 2022

**Susmita Bhowmick
Vs.
The State of West Bengal & Ors.**

Mr. Goutam Banerjee
Mr. Raja Ghosh

...for the petitioner

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey

...for the WBCSSC

Mr. Naba Kumar Das
Mr. Subhabrata Das

...for the State

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

The learned advocate for the petitioner submits that the petitioner participated in 12th RLST-2011 for being appointed as Assistant Teacher in Bengali. On behalf of the petitioner certain grievances are expressed in the matter of conducting the selection procedure being 12th RLST-2011.

The learned advocate representing the Commission has opposed this writ petition on the ground of delay since it has been submitted that the panel prepared on completion of 12th RLST-2011 expired on 24th March, 2015 and the present writ petition has been instituted on 29th September, 2022, precisely 7 years after the expiry of panel.

Having considered the submissions made on behalf of the parties this Court finds that no relief can be granted to the petitioner since the writ petition has been filed questioning the selection procedure in connection with 12th

RLST-2011 but the panel which was prepared based on the said selection process expired on 24th March, 2015. It is settled proposition of law that after expiry of panel right of the candidate who participated in the selection process gets extinguished.

Moreover, it has also been decided by the Apex Court in catena of judgments that petitioner is required to approach the writ court within the reasonable time i.e. 3 (three) years though there is no statutory time limit in preferring the writ petition, specially in those cases where third party right accrued.

In view of aforesaid discussion the writ petition stands dismissed.

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.)