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Ct-08

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MAT 2083 of 2023

with

I.A No. CAN 1 of 2023

Dr. Jayanta Choudhuri

Vs.

State of West Bengal & Ors.

Mr. Kallol Guha Thakurata

Md. Wasim Rahaman

... For the Appellant

Mr. Pulak Ranjan Mondal

Ms. Bandana Mondal

Mr. Subhrangshu Panda

... For the College Service Commission

1. We have heard the learned counsel appearing for the parties.

2. The appeal is arising out of an order dated 19th July, 2023 passed in a writ petition in which the appellant has prayed for participation in the selection process upon condoning the age bar. The petitioner appeared in the selection process for the post of Lecturer of Journalism and Mass Communication following an advertisement published by the West Bengal College Service Commission in the year 2003. The name of the petitioner appeared at serial no. 2 in the panel of successful candidates.

3. The College Service Commission in the affidavit-in-opposition has stated that due to non-availability of the vacancy, the name of the petitioner could not be recommended and the said

panel had expired on 7th October, 2005. He subsequently applied again in the year 2005, but by that time he had become age barred. In 2010 he filed the writ petition for condonation of his age bar and consideration of his application.

3. Mr. Kallol Guha Thakurata, learned counsel representing the appellant, has submitted that in the affidavit-in-opposition it was stated that panel was published on 19th September, 2005 and therefore, it could not have been lapsed before 19th September, 2006.

4. Mr. Pulak Ranjan Mondal, learned counsel representing the College Service Commission, opposing the submission of Mr. Guha Thakurata has submitted that the said panel was published on 19th September, 2004 and not 19th September, 2005 and it had lapsed on 7th October, 2005.

5. In view of the fact that the interview for the relevant post was held on 14th August, 2004, the panel prepared in terms of the said interview had lapsed, appointments have been given on the basis of the said panel and that there is no provision for condonation of age bar and in any event the same could not be considered in the year 2010, the said prayer cannot be considered and allowed in 2023.

6. On such consideration, we do not find any reason to interfere with the order passed by the learned Single Judge.

5. In view of the aforesaid, the appeal being MAT 2083 of 2023 stands disposed of.

6. In view of the disposal of the appeal, nothing remains to be decided in the application for stay being CAN 1 of 2023 and the same is accordingly disposed of.

7. However, there shall be no order as to costs.

8. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar,J.)

(Soumen Sen, J.)

