

W.P.A. 27377 of 2024

**Bikash Sardar
Vs.
The State of West Bengal & Ors.**

Mr. Dibyendu Chatterjee
Mr. Pritam Majumdar
Mr. Rahul Deb Goenka
Mr. Moinak Singha Barma

...for the Petitioner

Mr. Supriyo Chattopadhyay
Mr. Manoj Kumar Mondal

...for the State

Dr. Sutanu Kumar Patra
Ms. Supriya Debey

...for WBCSSC

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja

...for WBBSE

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

Learned advocate representing the petitioner submits that in response to a RTI application made by the petitioner seeking marks which were allotted to him in 1st State Level Selection Test, 2016 (Physical Education) by issuing Memo dated 6th September, 2024 Deputy Secretary and SPIO of West Bengal Central School Service Commission informed the petitioner that he was awarded 25 marks in written test (OMR) and 22 marks in academic performances whereas 3 marks were awarded for possessing B.Ed qualification. It is further submitted that petitioner is not satisfied with 25 marks

which was awarded to him in written test (OMR) and marks awarded for possessing B.Ed qualification which prompted him to approach this Court with the present writ petition for re-assessment of OMR and enhancement of marks for possessing B.Ed qualification.

Learned advocate representing the West Bengal Central School Service Commission submits that panel was prepared on conclusion of the selection process, namely, 1st SLST, 2016 (Physical Education), which expired on 11th December, 2019 and thereafter application was made under Right to Information Act seeking information and the present writ petition has been filed in the month of November, 2024.

Having considered the submissions made on behalf of the parties this Court finds substance in the submission made on behalf of the Commission that since panel expired on 11th December, 2019 and precisely after 5 years the present writ petition has been instituted seeking re-assessment of OMR and enhancement of marks for possessing B.Ed qualification. It is trite law that after expiry of the panel a candidate loses his right to question the legality and validity of the selection process.

Hence, 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.)