

W.P.A. 2596 of 2025

**Keherul Islam
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra

...for the Petitioner

Mr. Vimal Kumar Shahi, AGP
Ms. Pratiti Das

...for the State

Dr. Sutanu Kumar Patra
Mr. Sunit Kumar Roy

...for W.B.C.S.S.C

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta

...for W.B.B.S.E

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

Learned advocate representing the petitioner
submits that petitioner participated in 12th Regional Level
Selection Test (RLST), 2011 but he was not selected for
being appointed for the post of Assistant Teacher which
triggered the present writ petition.

In support of such contention reliance is placed
on an order dated 6th July, 2023 passed by a co-ordinate
bench on a writ petition being **WPA 27054 of 2017**
(Masadul Hossain vs. The State of West Bengal &
Ors.). According to the learned advocate representing the
petitioner, in spite of expiry of the panel in the Month of
March, 2015, when petitioner in that matter got the
relief, delay in approaching court is not fatal even after
expiry of the panel and petitioner in the present case is
entitled to get same relief.

Learned advocate representing West Bengal Central School Service Commission has opposed the prayer of the petitioner since panel expired on 24th March, 2015 and the petition has been instituted on 31st January, 2025.

Having considered the respective submissions made on behalf of the parties, it appears that after expiry of the panel on 24th March, 2015 precisely after a period of 10 years, the present writ petition has been instituted on 31st January, 2025 praying for selection in connection with selection process namely, 12th RLST, 2011.

On perusal of the order passed by the co-ordinate bench on 6th July, 2023 in ***Masadul Hossain (supra)***, it appears that within the lifetime of the panel petitioner in that matter preferred writ petition in 2013 and in terms of the order passed in the first writ petition an order was passed on 29th October, 2013 rejecting the prayer of the petitioner namely, Masadul Hossain which triggered subsequent writ petition being WPA 27054 of 2017.

However, in the present writ petition there is nothing on record which goes to show that petitioner within the lifetime of the panel took steps for redressal of the grievance. It appears that petitioner is a fence-sitter and after order was passed by the co-ordinate bench on

6th July, 2023 in ***Masadul Hossain (supra)*** present writ petition has been instituted.

It is trite law that after expiry of the panel right of a candidate is extinguished and the candidate loses opportunity to approach the court for ventilating his/ her grievance in connection with the selection process.

In this regard reliance is placed on the judgments of the Hon'ble Supreme Court, one reported in ***(1996) 9 SCC 309 (State of Uttar Pradesh & Ors. vs. Harish Chandra & Ors.)*** and another reported in ***(2009) 2 SCC 706 (Girdhar Kumar Dadhich & Anr. vs. State of Rajasthan & Ors.)***.

With the above observations, 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.)