

16.04.2025
(D/L-14)
Ct. No.4
(B.K.N.)

W.P.S.T. 46 of 2025

**Shri Prakash Chakraborty & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. S. Mustaphi,
Mr. Saptarshi Chakraborty
...for the Petitioners

1. The petitioners approached the Tribunal seeking direction upon the respondents to consider their case for appointment in the post of Assistant Operator and for other consequential directions including a direction to appoint the petitioners/applicants.
2. As per the records it appears that an interview letter was issued to the petitioner no. 1 on 24th August, 2007 and petitioner no. 2 on 18th July, 2007. As per the said interview letter they were directed to appear before the Selection Committee for interview/oral test for the post Assistant Operator in the Office of the Superintending Engineer (Agri.Mach.), Midnapore Circle. There is no material to show whether after issuance of the letter petitioners appeared for the interview/oral test or not. There is also no result or panel placed on record to show what was the outcome of the process based on the interview letter dated 24.08.2007 and 18.07.2007. in the Original Application, however, an averment has

been made that the petitioner was empanelled as a result of the interview/oral test.

3. The petitioners has approached the Tribunal seeking the relief based on a call letter asking him to appear in the interview/oral test issued on 28th August, 2007. On that basis he has invoked the jurisdiction of the Tribunal for an appointment by filing Original Application in the year 2023, nearly 16 years after the call letter was issued to him to appear for the interview/oral test.
4. Apart from an averment made in the Original Application that his name was figuring in the panel. There is no material to show that his name ever figured in the panel. Even if the petitioners were placed in a panel, as per the settled legal proposition they do not acquire any indefeasible right to appointment, more so when the panel is claimed to be 16 years old.
5. We find no reason to interfere with the Tribunal's order dated 23rd July, 2024 passed in O.A. No. 424 of 2023.
6. The writ petition is dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)