

Form No. J(2)
Item No. ML / 2
ARPAN – A.R.(CT)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. NO 13530 OF 2025

SUBHRA GHOSH

VS.

THE STATE OF WEST BENGAL & OTHERS

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioner	: Mr. Subhas Ch. Sarkar, Adv.
For the W.B.C.S.S.C.	: Mr. Sunit Kumar Roy, Adv.
For the W.B. Information Commission	: Mr. Raja Saha, Adv. Mr. Sanjay Mukherjee, Adv. Ms. B. Roy, Adv.
Heard On	: 17.07.2025 & 04.08.2025
Judgment On	: 04.08.2025

SAUGATA BHATTACHARYYA, J.:

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner by filing this writ petition, *inter alia*, has prayed for declaring herself as successful candidate in 9th Regional Level Selection Test,

2008 (hereinafter referred to as '9th RLST, 2008') which was held on 21st December, 2008. Petitioner made several applications under Right to Information Act (hereinafter referred to as 'RTI Act') seeking information relating to participation of the petitioner in the 9th RLST, 2008 as well as position of the petitioner in the panel in connection with other similarly circumstanced candidates. Petitioner also applied for supply of answer scripts relating to the aforesaid selection process.

3. Previously petitioner filed another writ petition being WPA 20632 of 2015 seeking relief relating to applications filed under RTI Act and said writ petition was dismissed by a Co-ordinate Bench *vide* order dated 4th July, 2022. Petitioner prays for issuance of mandamus based on prayer couched in this writ petition in consideration of last order passed by State Chief Information Commissioner, West Bengal dated 12th February, 2025.
4. West Bengal Information Commission and West Bengal Central School Service Commission are represented by learned advocates who have jointly opposed the prayer of the petitioner on the count that taking note of the earlier applications made under RTI Act by the petitioner relating to 9th RLST, 2008 whiling dismissing the writ petition by the Co-ordinate Bench *vide* order dated 4th July, 2022, it was observed that at the belated stage no relief could be granted to the petitioner since panel expired in 2009 in connection with the said selection process.

5. Learned advocate representing the petitioner has made an attempt to make out a case based on the order passed by the State Chief Information Commissioner, West Bengal dated 12th February, 2025 wherein said Commissioner recording the facts of the case and after hearing the petitioner and SPIO of West Bengal Regional School Service Commission, Purba Burdwan found that answer sheet could not be provided as those were destroyed as per circular of the West Bengal Central School Service Commission.
6. It is required to be recorded herein that if Court proceeds on the premise of the first application under RTI Act dated 28th August, 2011 in connection with 9th RLST, 2008 in that event also it appears petitioner approached the concerned authority of West Bengal Central School Service Commission belatedly. It is submitted that panel was prepared in connection with 9th RLST, 2008 in the year 2009 whereas first application under RTI Act was preferred on 28th August, 2011.
7. It is trite law that after expiry of the panel candidate loses right to question the validity of the panel. Right of a candidate to question the panel remains till said panel is alive. 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.)**.

8. Therefore, this Court is *ad idem* with the view expressed by the Coordinate Bench while dismissing the previous writ petition *vide* order dated 4th July, 2022 that at this belated stage no relief can be granted to the petitioner.
9. Hence, writ petition stands dismissed.
10. There shall be no order as to costs.
11. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)