

Item-
7. 02-07-2025

MAT 919 of 2025
CAN 1 of 2025

sg

Ct. 8

Manorama Dakua & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Dibyendu Chatterjee
Mr. Pritam Majumdar
Mr. Rahul Deb Goenka
Ms. Satabdi Das

...for the appellants

Dr. Sutanu Kr. Patra
Ms. Supriya Debuy

...for the WBCSSC

Ms. Koyeli Bhattacharyya

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

Mrs. Debjani Ray

...for the respondent no.8

Mr. Sudipto Panda
Ms. Ananya Neogy

...for the State

1. We have heard the learned Counsel for the parties. There is no dispute that the petitioners participated in 1st State Level Selection Test, 2016 for recruitment of Assistant Teachers in Physical Education/Work Education (Upper Primary).
2. The contention of the writ petitioners before the learned Single Judge as well as before this Court that, on superseding merit position some other candidates were permitted to participate in the personality test as a result whereof, the selection process was questioned.
3. The learned Single Judge has taken into consideration the submission made on behalf of the West Bengal Central School Service Commission that the panel expired on 11th December, 2019 and the present writ petition was

instituted on 9th January, 2024.

4. The writ petitioners have failed to offer any plausible explanation in not pursuing their remedy and for seeking any enforcement over alleged grievance soon after the 1st State Level Selection Test, 2016 was over or before expiry of the panel dated 11th December, 2019.
5. The learned Single Judge has taken into consideration the aforesaid facts as would be evident from the observations made by the learned Single Judge, which are reproduced hereinbelow:

“It is settled law that after expiry of the panel candidate loses right to question 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. v. Harish Chandra & Ors.) and another reported in (2009) 2 SCC 706 (Girdhar Kumar Dadhich & Anr. v. State of Rajasthan & Ors.).

In the present case after expiry of the panel on 11th December, 2019 writ petition was filed precisely after four years on 9th January, 2024 when the panel was given effect to.”

6. On such consideration, we are not inclined to allow the appeal. The appeal and the connected application are, accordingly, dismissed.

(Soumen Sen, J.)

(Smita Das De, J.)