

Ml 17.02.2025
111 Ct.18
rkd

W.P.A. 23487 of 2023

Shyamal Saha

-vs-

The State of West Bengal & Ors.

Mr. Samim Ahammed,
Ms. Ambiya Khatun,
Md. Nasirul Haque

....for the petitioner.

Dr. Sutanu Kumar Mitra,
Ms. Supriya Dubey

....for the WBCSSC.

Ms. Tapati Samanta

....for the State.

In terms of the order passed on earlier occasion a report has been filed on behalf of the West Bengal Central School Service Commission in the form of affidavit and same is taken on record.

On perusal of the report, it appears that there were certain mistakes made by the petitioner while answering four separate sub-questions under question no.25.

Against 1st sub-question instead of “Kabita Kabyagrantha” it should have been “Kabyagrantha”. In 2nd sub-question writer of “Nillohit” was not “Sunil Gangopadhyay” but “Pramatha Chaudhuri” and correct classification was “Golpograntha” not “Kabyagrantha”. Against last sub-question “Alibaba” was classified as “Natok” but the correct classification was “Gitinatyo”/“Opera”.

In view of the mistakes pointed out in paragraph 5(d) of the report filed on behalf of the Commission it appears that there were no discrepancy in awarding marks to question no.25.

In addition thereto, it does not escape notice of this Court that petitioner participated in 12th RLST, 2011 and the panel which was prepared in connection with the said selection process expired on 24th March, 2015.

The present writ petition was instituted on 26th September, 2023. It is trite law that after expiry of the panel candidate loses right to question the particular selection process. In this regard reliance is placed on the judgment 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.)**.

Hence, the writ petition stands dismissed.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)