

03.04.2025.
PB
Sl. No.226.
Ct. No.25.

WPA 23687 of 2007
With
CAN 3251 of 2012

Amit Chanda
Vs.
The State of West Bengal & Ors.

Mr. Manoranjan Jana,
Mr. Saibal Acharya,
Ms. Mitali Jana.
... For the Petitioner.

The petitioner in this case has prayed for the following relief:-

“To issue a writ in the nature of mandamus commanding the respondents to allow your petitioner to appear before the interview and/or selection test and/or written test, before the interview Board/Selection Committee constituted for the post of ‘Clerk’ (Group-C) and to consider his candidature along with the eligible candidates and when such interview and/or selection test and/or written test will be held in respect of ‘Bodhra Pantheswari High School’, under P.O. Bodhra, P.S. Ramnagar, in the Dist. Of Purba Medinipur”.

During the period when the writ petition has been pending before this Court, the petitioner was allowed to take part in the selection process, was selected and joined the post. His service was approved w.e.f. his date of joining, vide letter of the Additional District Inspector of Schools (SE), Contai Sub-Division, District Purba Medinipur dated July 8, 2009.

Mr. Arharya, learned advocate for the writ petitioner has submitted that in view of the facts of the case as above, the endorsement made in the approval letter that “The appointment is approved on condition that this will abide by the result of the A.S.T. No.2220 of 2007 arising out of W.P. No.23887(W) of 2007”, may be expunged.

None appears for the State respondent, in spite of service of notice. Hence, the case is taken up for adjudication, in absence of the said respondent.

Having perused the records and after hearing the learned counsel for the writ petitioner, the Court finds that the present writ petition is virtually infructuous in so far as the petitioner has already taken part in the examination and appointed back in 2008 (on 13th June, 2008) and his service has been approved.

Hence the present writ petition being WPA 23867 of 2007, is disposed of being infructuous.

In such view of the fact, the connected application being CAN 3251 of 2012 is also disposed of thereby directing expunge of the remark “The appointment is approved on condition that this will abide by the result of the A.S.T. No.2220 of 2007 arising out of W.P. No.23887(W) of 2007”, from the approval letter of the writ petitioner dated July 8, 2009.

The respondent/District Inspector of Schools (SE), Purba Medinipur, is directed to issue necessary modification order to make expunge of remarks as above effective which shall be considered as the final approval order of the writ petitioner, within a period of two weeks from the date of communication of copy of this order.

The writ petition and the application as mentioned above, are disposed of.

Since no affidavit is called for in this case, the allegations made in the writ petition, are deemed to have been denied by the respondents.

Urgent certified copy of this order, if applied for, shall be supplied to the parties, upon compliance of all necessary formalities.

(Rai Chattopadhyay, J.)