

03.09.2025
Sl. No.132
AMR
Ct.No.-23

WPA No. 23338 of 2009

Raj Kumar Saha & Ors.

Vs.

The State of West Bengal & Ors.

1. The writ petitioners have filed this instant writ petition seeking a direction upon the respondent authorities to allow them to participate in the interview along with the candidates sponsored by the Employment Exchange, which was scheduled to be held in December, 2009 or on any subsequent date, for recruitment to the post of Primary Teacher in Malda, pursuant to the relevant notification and their applications. They have further prayed for a direction upon the respondents to consider their candidature in the said vacancies and to extend all consequential reliefs.

2. None appears on behalf of either of the parties. No accommodation is sought for. This case is pending since the year, 2009. Almost 16 years have already been passed.

3. Considering the nature of prayer and long pendency, this Court preferred to dispose of this case

on merit on the basis of materials available in the case record since no affidavit in opposition and reply has been filed by the parties.

4. Upon perusal of the records as well as the orders passed earlier by this Court, it appears that after hearing the petitioners, the then Co-ordinate Bench had permitted them to participate in the selection test/interview.

5. However, the Court had also made it clear that the petitioners would not be entitled to claim any equity merely on account of such participation. From the records, it is evident that the petitioners were duly allowed to take part in the said selection process, and thereafter, whether they were selected or not is not within the knowledge of this Court. It may, therefore, be reasonably presumed that the grievance of the petitioners either already stands redressed or that they have abandoned their prayer.

6. In view of the facts, the instant writ petition becomes infructuous. There is nothing remain for further consideration.

7. Accordingly, the instant writ petition being WPA 23338 of 2009 is dismissed.

8. Interim order, if there be any, stands hereby vacated.

9. There shall be no order as to costs.

10. Parties to act upon the server copy duly downloaded from the website of the High Court.

11. Urgent photostat certified copy of this order be given on usual terms and conditions.

(Ajay Kumar Gupta, J.)