

22.12.2025
Sl. No. 97
AMR
Ct.No.32

WPA 26779 of 2007

**Md. Humayun Kabir
Vs.**

The State of West Bengal & Ors.

1. This instant writ petition has been filed by the petitioner seeking direction particularly upon the respondent nos. 2 and 3 to allow the petitioner on 25.12.2007 or any subsequent date to participate in the written test for the post of Panchayat Sahayak in any Gram Panchayat under Birbhum Zilla Parishad in the district of Birbhum along with other candidates sponsored by employment exchange.
2. None appears on behalf of the petitioner. No accommodation is prayed for. This is an old case of 2007.
3. Considering the nature of prayer and long pendency of this case, this Court prefers to dispose of this case on merits on the basis of documents annexed with the writ petition.
4. No affidavit-in-opposition and reply have been filed as yet as per office report despite direction passed by the court at the time of admission of the writ petition.

5. Upon careful perusal of the record, this Court finds vide order dated 17.12.2007, the then Single Bench of this court allowed the petitioner to participate in selection process along with other candidates sponsored by the employment exchange subject to fulfillment of all eligibility criteria.

6. It was also made clear that if after preparation of the panel it is found that the petitioner has secured a place which brings him within the zone of consideration for appointment, he shall not be appointed without leave being obtained from the Court.

7. Finally, it was held by the Single Bench that no equity shall be created in favour of the petitioner by his mere participation in the selection process and selection, if at all, by virtue of this order and in the event the petitioner fails to secure a place within the zone of consideration for appointment, the respondents shall be at liberty to finalize the selection process as also to appoint candidates from the panel according to law.

8. After passage of long period, this Court does not find any supporting document to show that the petitioner appeared in the selection process and/or became eligible candidate so that he can be taken into consideration for appointment.

9. No affidavit is filed or exchanged between the parties till date. Petitioner also did not come forward to place his case even after lapse of long 18 years as such there is no scope to pass any favourable order in favour of the petitioner.

10. In the above backdrop, this Court finds there is no merit in the instant writ petition.

11. Consequently, the writ petition, being **WPA 26779 of 2007** is **dismissed**. Connected applications, if any, are also, thus, disposed of.

12. Interim order, if any, stands vacated.

13. There shall be no order as to costs.

14. Parties to act upon the server copy of this order duly downloaded from the official website of this Court.

15. Urgent photostat certified copy of this order, if applied for, be given to the parties after taking all legal formalities.

(Ajay Kumar Gupta, J.)