

18.03.2025
Court No. 18
Item No. 126 (ML)
(**Suvendu**)

WPA 28227 of 2023

Zafor Momin
-Versus-
The State of West Bengal & Ors.

Mr. K.M. Hossain
Ms. Keya Sutradhar
.....for the petitioner

Mr. Shamim Ul Bari
Mr. Rajashree Mukherjee
.....for the State

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja
.....for the WBBSE

Mr. Sunit Kumar Roy
.....for the WBCSSC

Petitioner has questioned the selection process namely 12th Regional Level Selection Test (Assistant Teacher), 2011 and according to the petitioner if selection process concluded strictly in accordance with the norms, he would be adjudged as an eligible candidate to be appointed in the post of Assistant Teacher. Petitioner has prayed for issuance of mandamus directing West Bengal Central School Service Commission to revisit the aforesaid selection

process in order to find out whether petitioner was an eligible candidate or not for his appointment as an Assistant Teacher in a secondary school.

Prayer made on behalf of the petitioner is opposed by learned advocate representing the respondents since the panel which was prepared in connection with 12th RLST (AT), 2011 expired on 24th March, 2015.

Having considered the respective submissions made on behalf of the parties, this Court finds that the writ petition was instituted on 14th December, 2023 whereas panel expired on 24th March, 2015. It is trite law that right of a candidate to question the validity of a selection process remains till the date of expiry of the panel and after expiry of panel such right gets extinguished.

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. Vs. Harish Chandra & Ors.)** and another reported in **(2009) 2 SCC 706 (Girdhar Kumar Dadhich & Anr. Vs. State of Rajasthan & Ors.)**.

Hence at this belated stage no relief can be granted to the petitioner and the writ petition stands dismissed.

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)