

ML 228
12.06.2025
Ct. No. 18
adeb

W.P.A. 28367 of 2023

**Sk. Sirajul Ali
Vs.
The State of West Bengal & Ors.**

**Ms. Gopa Biswas
Mr. Saikat Mallick
...for the petitioner**

**Mr. Prosenjit Mukherjee
Ms. Madhurima Sarkar
...for the Madrasah Service Commission**

**Mr. Bhaskar Prasad Vaisya
Mr. Ranjan Saha
...for the State**

Matter relates to selection process i.e. 6th State Level Selection Test 2013 for appointment of Assistant Teacher in Physical Education which was conducted by the West Bengal Madrasah Service Commission. It is submitted by the learned advocate for the Commission on instruction that in January, 2021 examination was concluded and result was published in the month of November, 2021. Panel was published in the month of November, 2021 and panel remained valid for a period of one year and thereafter it expired on 22nd November, 2022. Therefore, it is contended on behalf of West Bengal Madrasah Service Commission that petitioner approached this Court belatedly after expiry of the panel which debars the petitioner from questioning

the validity of the said panel. Learned advocate representing the petitioner submits that application under Right to Information Act was made to the concerned respondent authority and only on receipt of OMR sheet petitioner was able to question the validity of the panel.

If Court proceeds on the premise that there was delay on the part of the concerned authority of the West Bengal Madrasah Service Commission in providing copies of OMR sheets petitioner could have approached the Court within the lifetime of the panel for getting necessary directions. In the present case after expiry of the panel on 22nd November, 2022 writ petition was filed on 15th December, 2023. It is trite law that the candidate loses right to question validity of the panel as well as the selection process after expiry of the panel. 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, no relief can be granted to the petitioner at this belated stage.

Writ petition stands dismissed.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)