

1498
17.06.2025
Ct. No. 18
adeb

W.P.A. 28866 of 2023

**Sri Manas Kundu
Vs.
The State of West Bengal & Ors.**

**Mr. Tara Prasad Halder
...for the petitioner**

**Mr. Ratul Biswas
Mr. Kashik Chowdhury
...for the WBBPE**

**Mr. Bhaskar Prasad Vaisya
Mr. Gourav Das
...for the State**

**Mr. Suman Dey
...for the DPSC, Bankura**

Petitioner participated in the selection process which was initiated on 23rd December, 2020 and claim has been laid by filing this writ petition for consideration of candidature of the petitioner at this stage when panel stood expired on 15th February, 2022. Question arises for consideration whether the right of candidate remains after expiry of the panel to be considered for appointment or not.

Mr. Ratul Biswas, learned advocate representing West Bengal Board of Primary Education has relied upon decision of the Hon'ble Supreme Court reported in 2024 SCC OnLine SC 1189 (Ali Hossain Mandal & Ors. vs. West Bengal Board of Primary Education & Ors.). It is submitted that issue has already been decided by the Hon'ble Supreme Court pertaining to the selection process

which commenced on and from 23rd December, 2020. Reliance is placed on the observations made by the Hon'ble Supreme Court in paragraph 29 wherein it is unequivocally concluded that the panel or merit list was notified on 15th February, 2021 and same stood extinguished after expiry of one year on 15th February, 2022 as per Rule 12 of the Recruitment Rules, 2016. No extension by any competent authority was granted to the said panel which came into effect from 15th February, 2021. Therefore, no relief can be granted to the candidates who approached the Court in May 2022. In the present case petitioner filed this writ petition on 20th December, 2023. It was further observed by the Hon'ble Supreme Court in paragraph 29(iv) that no further appointments is permissible from the recruitment process initiated on 23rd December, 2020 when a fresh recruitment process commenced.

In view of the observations made by the Hon'ble Supreme Court in paragraph 29 of Ali Hossain Mandal (supra) no relief can be granted to the petitioner.

The 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.)