

25 **18.02.
2026**

Ct. No. 24

Ab

WPA 2508 of 2025

Dr. Arun Modak

Vs.

The State of West Bengal and others.

**Mr. Ashis Kumar Choudhury,
Mr. Babhru Bahan Bara,
Mr. Rohan Paul,
Mr. Sidhartha Roy.**

... for the petitioner.

**Mr. Rajat Dutta,
Ms. Aaishani Mukhopadhyay.**

... for the State.

**Mr. Subhrangsu Panda,
Mrs. Ina Bhattacharya,
Mrs. Mithu Singha Mahapatra.**

... for the College Service Commission.

1. The petitioner's grievance that in spite of being meritorious candidate, with Ph.D degree, the petitioner was not considered for the post of Librarian.
2. The petitioner submits that even though he was overage, pursuant to the Advertisement No. 1/2024 issued by the West Bengal College Service Commission, his age ought to have been and was indeed relaxed in view of his exceptional qualification.
3. He is aggrieved that in spite of such age relaxation, the petitioner was not considered by the Commission for the said post and was not called for interview.
4. Mr. Choudhury, learned Advocate appearing for the

petitioner, has placed reliance on Clause (5)(ii) of the Advertisement as well as on the communication from the Deputy Secretary to the Government of West Bengal dated July 15, 2024, whereby his overage had been condoned to enable him to appear for the interview for the post of Librarian in the Government Aided Colleges.

5. Mr. Panda, learned Advocate appearing for the Commission, has placed reliance on a report filed by the Commission whereby a letter dated June 27, 2024 was issued by the Deputy Secretary to the Chairperson of the Commission stating that none of the persons being part of the panel were recommended for age condonation. The petitioner's name appears in this list at Serial No. 6.
6. Thus, the interview, which was held on June 28, 2024, could not include the petitioner as his age had not been condoned.
7. He has also placed reliance of a letter given by the petitioner on November 20, 2024 to the Principal Secretary of the Higher Education Department, whereby it was mentioned that interview of the post of Librarian had already been closed on July 12, 2024.
8. Mr. Dutta, learned Advocate appearing for the State Authorities, submits that even though initially there was no relaxation of the age, on an application made

by the petitioner on July 11, 2024, decision to condone the age bar of the petitioner was made on July 15, 2024.

9. I have heard the appearing Advocates and perused the records.

10. The sequence of facts is very clear and overwhelming. The petitioner had been rejected insofar as the relaxation of age was concerned, on June 16, 2024 and hence, when the Commission held the interview on June 28, 2024, there was no reason to consider and the petitioner in the interview, as he was overage candidate. The entire process of interview was completed on July 12, 2024. The recommendation of the petitioner by the Deputy Secretary was made on July 15, 2024, i.e. after closure of the interview process.

11. Surprisingly, the petitioner was aware of the same and chose not to come before this Court or ventilate his rights in any manner whatsoever before any Forum. On the contrary, the petitioner chose to wait.

12. This waiting game relented only in January, 2025. Curiously, the tenure of the panel, which was for a term of one year, has expired on January 16, 2026.

13. The petitioner chose to approach this Court on January 24, 2025 after publication of the panel of January 17, 2025.

14. The panel has presently expired and the relief

sought for by the petitioner would disturb the entire process as appointment to the said post, which had been advertised, has also been made.

15. In view of the afore-stated, the writ petition fails and is, accordingly, dismissed.

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

17. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)