

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

**WPA 3829 of 2026**

Bhabatosh Majumder  
-versus  
The State of West Bengal & Ors.

Mr. Mukunda Lal Sarkar  
... For the petitioner

Ms. Piyali Sengupta  
Mr. Victor Chatterjee  
Ms. Shreya Bhattacharjee  
... For PSC

1. Affidavit of service and the supplementary affidavit filed by the petitioner in Court today be retained with the records.

2. The petitioner participated in the recruitment process for being appointed as Motor Vehicle Inspector (Non-Technical) in terms of the advertisement published by the Public Service Commission, West Bengal in the year, 2019. The date of the written examination was 7<sup>th</sup> April, 2019 and the date of Physical Measurement Test and Interview was 23<sup>rd</sup> November, 2020. The petitioner was unable to qualify in the selection process.

3. An application was made by the petitioner under the Right to Information Act, 2005 in November 2025 seeking information with regard to certain questions in the written examination. On receipt of the information under the Right to Information Act, the instant writ petition has been filed on 16<sup>th</sup> February,

2026 alleging that there are several wrong answers given to the questions in the said recruitment process.

4. Prayer has been made to direct the respondents to award full marks to the petitioner in respect of as many as 15 questions wrongly assessed by the recruiting authority.

5. Learned advocate representing the Public Service Commission submits, upon instruction that, the recommendation to the selected candidates was given long back.

6. Upon hearing the submissions made on behalf of the parties and on perusal of the documents placed before the Court, it appears that the subject examination was of the year 2019. The petitioner appeared in the written examination in the year 2019 and in the Physical Measurement Test and Interview in November, 2020.

7. The result of the recruitment test was published long back and the selected candidates have been appointed long ago. The process of recruitment has been completed.

8. Had the petitioner been genuinely aggrieved by any of the wrong answers provided by the recruiting authority, the petitioner ought to have approached the competent authority in proper time. Nearly six years after the recruitment process was initiated and results declared, the prayer of the petitioner for awarding marks

to him upon re-assessment of the questions cannot be allowed.

9. If the prayer of the petitioner is allowed at such delayed point of time, then there may be several other unsuccessful candidates who may approach the Court for relief. A recruitment process which concluded long ago ought not to be reopened at such a delayed point of time in the absence of concrete evidence of illegality or arbitrariness.

10. No relief can be granted to a litigant who is indolent and approaches the Court long after the cause of action arose.

11. In view of the above, the prayer of the petitioner cannot be allowed.

12. The writ petition fails and is hereby dismissed.

13. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

14. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Amrita Sinha, J.)**