

**W.P.S.T. 67 of 2026**

**Sri Kanhaiya Kumar Singh  
Versus  
The State of West Bengal & Ors.**

Mr. Dilip Kumar Maiti,  
Ms. Maitryee Maiti  
...for the Petitioner

Mr. Swapan Kr. Datta, Id. G.P.,  
Ms. Kakali Samajpaty,  
Mr. Bikramjit Mondal  
...for the State

Mr. Soumen Dutta,  
Mr. Subham Dutta,  
Ms. Mohua Palit  
...for the Private Respondent

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Heard the learned advocate for the applicant-writ petitioner and the learned G.P. for the State as well as the learned advocate for the private respondent.
3. The applicant is serving on contractual basis as prosthetist in the NRS Medical College as per averments made in the Original Application. An advertisement was issued in the year 2021 for appointment to the post of a Medical Technologist Grade-III. The petitioner admittedly was unqualified being over age, which is clear from his averment made in the Original Application. He, therefore, filed an Original Application bearing O.A. No.73 of 2021, wherein certain interim orders were passed allowing his candidature in respect of the advertisement of 2021 subject to

result of the Original Application. The panel pursuant to the recruitment process initiated in 2021 was published on 26.02.2026.

4. There is no averment in the Original Application as to whether any order was finally passed in the O.A. No. 73 of 2021 holding the petitioner eligible. There is no averment in the Original Application that the earlier O.A. No. 73 of 2021 was finally decided or disposed of. From the averments made in the Original Application, therefore, the admitted position that emerges is petitioner's participation in the recruitment process on the strength of interim order passed in O.A. No. 73 of 2021 subject to final outcome of the earlier O.A.
5. In the circumstances, we fail to appreciate why a second O.A. has been filed five years thereafter (O.A. No.74 of 2026) seeking a relief in the form of disposal of some representation and for setting aside the panel dated 26.02.2026.
6. We find that no case is made out for interference. If at all, the petitioner is aggrieved by any subsequent steps taken in the recruitment process, he is required to raise the issues in the pending O.A. No. 73 of 2021.
7. With such liberty, we dispose of the Writ Petition.
8. In view of the order being passed today, nothing survives in O.A. No. 74 of 2026 pending before the

West Bengal Administrative Tribunal. The pendency of the O.A. would be futile. The same is accordingly disposed of.

**(Madhuresh Prasad, J.)**

**(Prasenjit Biswas, J.)**