

07-05-2026
Item No.125 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.7163 of 2026

Sudip Biswas

-vs-

The State of West Bengal & Ors.

Mr. Ambu Bindu Chakraborty ...for the petitioner

Ms. Shraboni Sarkar

Ms. Umme Habiba Khatun ...for PSC, WB

1. The petitioner participated in a recruitment process for appointment of Welfare Officer in jails under the Directorate of Prison in terms of an advertisement published by the Public Service Commission, West Bengal on January 12, 2007. The age for participating in the said recruitment process was not more than 32 years on January 1, 2007.
2. Learned counsel for the petitioner submits that no merit list was published by the authority, and that the petitioner has obtained information that one post is still vacant.
3. It has further submitted that though the petitioner was an eligible candidate for recruitment, but the authority intentionally and deliberately did not call him for interview.
4. It has also been submitted that the petitioner made repeated representations for enquiring about the fate of the recruitment process, but nothing was replied by the authority. The petitioner made applications under the Right to

Information Act, 2005 for obtaining information as to whether the merit list was published, but the same has also not been answered.

5. It has been submitted that this is the last opportunity for the petitioner to apply for the job; or else he will be age barred.
6. It has further been submitted that the petitioner continuously was in touch with the authority and that the last reply under the RTI Act was furnished to the petitioner in January 2026. According to the petitioner, there is no delay on the part of the petitioner in approaching the Court.
7. Prayer has been made to direct the respondents to appoint him in service and grant all financial benefits to him.
8. Upon hearing the petitioner and on perusal of the documents annexed to the writ petition, it appears that the petitioner is currently aged about 49 years as per his disclosure in the affidavit. The age for recruitment in terms of the advertisement was 32 years as on January 1, 2007.
9. The recruitment process was initiated in January 2007 and the petitioner for the first time approached this Court in March 2026 praying for a direction upon the authority to appoint him in the subject post as he possesses requisite qualification for recruitment.
10. The Court is of the considered opinion that had the writ petitioner been genuinely aggrieved with the illegality on the part of the authority in not taking steps for either conclusion of the recruitment process or not publishing any merit list, then the petitioner ought to have approached

the Court within a reasonable period of time. After nearly nineteen years of the publication of the advertisement for recruitment, the petitioner cannot be permitted to agitate any grievance in respect of the said process.

11. Submission of the petitioner that it is a continuing wrong as the petitioner all along continued to interact with the authority by making applications under the RTI Act cannot be accepted.
12. By merely exchanging communications with the authority and obtaining information under the RTI Act does not extend the period of limitation for an indefinite time.
13. The writ petition is hopelessly time barred and the same is dismissed.
14. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
15. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

