
(2013) 06 CAL CK 0059

In the Calcutta High Court

Case No : Writ Petition No. 16663 (W) of 2013

Shibalak Roy

APPELLANT

Vs

The State of West Bengal and Others

RESPONDENT

Date of Decision : 24-06-2013

Acts Referred:

Citation : (2013) 4 WBLR 954

Hon'ble Judges : Debasish Kar Gupta, J

Bench : Single Bench

Advocate : Bratati Dutta, for the Appellant; Sahidullah Munshi for the State and Kallol Bose for the Respondent No. 6, for the Respondent

Judgement

Debasish Kar Gupta, J.—Let the affidavit of service be kept on record. This writ application is filed by the petitioner alleging inaction on the part of the Sub-Divisional Officer, Alipurduar Sub-Division, Post Office - Alipurduar, District - Jalpaiguri in considering the representation of the petitioner dated May 10, 2013.

2. It is revealed from the pleading of this writ application that the petitioner participated in a selection process for appointment of a non-teaching staff (Group-D) in Alipurduar Hindi Madhyamik Vidyalaya (S.E.) in the year 2008.

3. The panel prepared for appointment of the above non-teaching staff (Group-D) was approved by the Additional District Inspector of Schools (S.E.), Alipurduar Sub-Division, District - Jalpaiguri under his memo No. 527 dated September 12, 2008. The name of the respondent No. 6 appeared on top of the above panel and the name of the petitioner appear in serial No. 2.

4. According to the petitioner, she came to know from a news published in "Uttarbanga Samsab", a daily vernacular dated May 08, 2013 with regard to the irregularity which took place in connection with the selection process under reference. Immediately she lodged the above complaint dated May 10, 2013 but the authority did not pay any heed to that complaint.

5. At the very outset a preliminary objection with regard to the maintainability of this writ application has been raised by Mr. Kallol Bose, learned advocate appearing on behalf of the respondent No. 6.

6. After hearing the learned Counsel appearing on behalf of the respective parties I find that admittedly the respondent No. 6 was selected for the post under reference in the year 2008 and it is also not in dispute that the panel was approved in the same year. No objection has yet been raised by the petitioner before the appropriate authority, i.e., the managing committee of the school under reference or the concerned officer of the district in the Education Department raising even her little finger against the selection of the respondent No. 6.

7. After perusing the news published in the aforesaid "Uttarbanga Samsab" dated May 08, 2013 I do not find that any news has been published in the above newspaper with mentioning the name of the respondent No. 6 specifically with regard to the irregularity in the selection process of his selection.

8. Therefore, the inordinate delay in filing this writ application by the second empanelled candidate so far as the selection process was concerned cannot be entertained at this stage and this writ application is dismissed.

9. There will be, however, no order as to costs. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.