

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No – O.A. 319 of 2020

FATEMA KHATUN Vs The State of West Bengal & Ors.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
4 25.11.2020	<p>For the Applicant : Md. Hafiz Ali, Mr. M.N. Roy, Mr. G. Haldar, Advocates</p> <p>For the Respondents : Mr. S. Ghosh, Advocate</p> <p>Let rejoinder filed be kept on record.</p> <p>Mr. Hafiz Ali, learned advocate for the applicant submits that the applicant who is pursuing Post Basic B.Sc. (Nursing) may be allowed to continue her nursing course and to allow the applicant to appear in the Post Basic B.Sc. (Nursing) Part I October Examination 2020 notified vide memo dated September 14, 2020. On a query it is submitted that the October Examination has been deferred and is going to be held in December, 2020. In support of his submission Mr. Ali relied on the interim orders passed by the Division Bench of the High Court on 15th September, 2020 in W.P.S.T. 71 of 2020, IA No. CAN 1 of 2020, Papiya Maiti and Others vs. State of West Bengal and Others and order dated 13th October, 2020 in W.P.S.T. 71 of 2020 with CAN 1 of 2020, Papiya Maiti and Others vs. State of West Bengal and others.</p> <p>Mr. S. Ghosh, learned advocate appearing on behalf of the State respondents submits that the matters pending before the High Court are regarding candidates pursuing M.Sc. (Nursing) course, whereas the applicant herein is pursuing Post Basic B.Sc. (Nursing).</p>	

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SCN.	<p>In reply Mr. Ali submits that since the issue is basically same, appropriate interim order, as prayed for, may be passed.</p> <p>Heard learned advocates for the parties. Considering the facts and circumstances of the case, let there be an interim order permitting the original applicant to continue with the Post Basic B.Sc. (Nursing) course including taking part in any examination which may be conducted. However, the result of the examination, so far as the original applicant is concerned, should not be published and such aspects of the matter would be considered when the matter is taken up for hearing. Since it is submitted on behalf of the applicant that the entire procedure is done online and the respondent authorities are not accepting the application of the applicant online, the respondent authorities are directed to accept the application of the original applicant in the hard copy format. Let reply be filed by 18th January, 2021. Rejoinder, if any, by 19th February, 2021. Matter to appear under the heading "For Order" on 22nd February, 2021.</p> <p>Since for circumstances beyond control the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	