

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Justice Soumitra Pal (Chairman)****& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)**

| 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 |
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| <p style="text-align: center;">6</p> <hr/> <p>02.03.2020</p> | <p>O.A. No. 876 of 2019 : Samaul Hoque Vs. The State of West Bengal & Others</p> <p>O.A. No. 877 of 2019 : Md. Hefjur Rahaman Vs. The State of West Bengal & Others</p> <p>O.A. No. 878 of 2019 : Md. Abul Kalam Azad Vs. The State of West Bengal & Others</p> <p>O.A. No. 879 of 2019 : Umar Farook Vs. The State of West Bengal & Others</p> <p>O.A. No. 880 of 2019 : Makhlesur Rahaman Vs. The State of West Bengal & Others</p> <p>O.A. No. 881 of 2019 : Md. Hossain Vs. The State of West Bengal & Others</p> <p>O.A. No. 965 of 2019 : Md. Amir Hossain Vs. The State of West Bengal & Others</p> <p><u>In all Applications :</u></p> <p>For the Applicant : Mr. Manabendra Thakur, Mr. Bankim Sarkar, Advocates</p> <p>For the State Respondent: Mr. G. P. Banerjee, Advocate</p> <p>Since all the six Original Applications, appearing in today's cause list as item nos. 7 to 12, being O.A. 876 of 2019, O.A. 877 of 2019, O.A. 878 of 2019, O.A. 879 of 2019, O.A. 880 of 2019 and O.A. 881 of 2019, are similar in nature, they are being heard analogously. These matters were taken up from time to time. The Tribunal, by orders dated 10th December, 2019 and 3rd February, 2020, had directed the Commissioner of Police, Asansol-Durgapur Police Commissionerate, Paschim Burdwan to enquire into</p> | |

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the matter and to file a report in a sealed cover before the learned Registrar. A report dated 28th February, 2020 has been filed with regard to O.A. 876 of 2019, O.A. 877 of 2019, O.A. 878 of 2019, O.A. 879 of 2019, O.A. 880 of 2019 and O.A. 881 of 2019 and is on record. Since the issue is similar, O.A. 965 of 2019 is also taken up for hearing.

We have perused the report. Mr. Manabendra Thakur, learned advocate appearing on behalf of the applicants, perusing the report submits that the applicants were handed over the joining letters. Some have performed their duties for some time and have drawn salaries. Others could not join as the administration prevented them from doing so. Submission is perusing the report he finds that appointment letters are fake and the applicants have been duped.

Mr. G.P. Banerjee, learned advocate appearing on behalf of the State respondents submits that it is clear from the report that there is no such sanctioned Group-D post as Water Box Controller and the appointment letters annexed to the applications are forged. Therefore, the applications may be dismissed.

Mr. Thakur submits that the applicants had accepted the appointment letters and some had joined the posts being unaware that those were forged.

Heard learned advocates for the parties. It is clear from the original applications that no advertisement was published calling for filling up the posts. From the report it is

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evident that there is no sanctioned post of Water Box Controller. A reading of the appointment letter makes it clear that it is fabricated and fake. Therefore, the submission made on behalf of the applicants that they had in good faith offered themselves for joining or had joined the posts cannot be accepted. Hence, the applications are dismissed.

In view of the submissions made by Mr. Banerjee and in view of the report filed by the Commissioner of Police, Asansol-Durgapur Police Commissionerate, Paschim Burdwan, we direct the Secretary, now redesignated as the Additional Chief Secretary, Department of Irrigation and Waterways, Government of West Bengal, Kolkata, the respondent no.1 to take necessary steps for lodging complaint before the appropriate police authorities with regard to the appointments made or issuance of appointment letters within four weeks from the date of obtaining a copy of the certified copy of the order.

SCN.

(S.K. Das)
MEMBER (A)

(Soumitra Pal)
CHAIRMAN