

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

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

Case No – OA 914 OF 2019
SURESH MIT 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 |
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| <p style="text-align: center;">2</p> <hr/> <p>19.12.2019</p> | <p>For the Applicant : Mr. M.N. Roy, Mr. G. Halder, Advocates</p> <p>For the Respondents : Mr.G.P. Banerjee, Advocate</p> <p style="text-align: center;">Let affidavit of service filed be kept on record.</p> <p>In this application, Suresh Mit, the applicant, belonging to OBC-B category, who had participated in the selection process for the post of Constable (Male) in West Bengal Police, 2018, - has prayed for certain reliefs, the relevant portion of which is as under:</p> <p style="text-align: center;">“(a) An order do issue directing the respondent authorities to issue appointment letter in favour of your applicant for the post of “Constable” (Male), in West Bengal Police, 2018, within a stipulated time period as the applicant has qualified all the hurdles regarding the mode of recruitment for the aforesaid post and has secured “46.50” marks in total, wherein the final result as</p> | |

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| | <p>published by the respondents indicates that cut off score for “Constable” (Male) was at “46.17”.</p> <p>(b) An order do issue directing the respondent authorities to transmit all relevant records and papers pertaining to the selection of your applicant to the post of “Constable” (Male), in West Bengal Police, 2018 so that conscionable justice be delivered.</p> <p>Mr. M.N. Roy, learned advocate for the applicant submits that since it is evident that the applicant had secured 46.50 marks in total in the OBC – B category and the cut off marks in the said category is 46.17 marks, appropriate direction may be issued on the respondent authorities to appoint him.</p> <p>Mr. G.P. Banerjee, learned advocate appearing on behalf of the respondents, referring to the advertisement submits on instruction that a candidate belonging to OBC-B category, if shortlisted for interview should have produced revalidated / renewed OBC-B certificate issued by the competent authority within one year preceding the date of interview, during verification of testimonials at the time of interview. Submission is physical test was held in February, 2019 and interview took place on 2nd September, 2019.</p> | |
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| SCN | <p>Submission is as the applicant had filed an undertaking dated 7th March, 2019 that he would forfeit his case if he failed to furnish revalidated / renewed certificate and as he failed to furnish revalidated or renewed certificate, no order may be passed. A copy of the said undertaking filed today be kept on record.</p> <p>Since we find that the applicant after giving an undertaking on 7th March, 2019 had failed to furnish revalidated / renewed OBC-B certificate, which is necessary, as evident from the note in the eligibility criteria of the advertisement, no order is passed on this application. The application is disposed of.</p> <p>(P. Ramesh Kumar) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p> | |
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