

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 – O.A. 11 of 2020

DR. SHANTANU KAR 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
<p>2</p> <hr/> <p>16.01.2020</p>	<p>For the Applicant : Mr. D. Karan, Mr. S. Roy, Advocates</p> <p>For the State Respondent: Mr. S. Ghosh, Advocate</p> <p>Affidavit of service filed be kept on record.</p> <p>The matter has come up under the heading “New Application”.</p> <p>Heard Mr. D. Karan, learned advocate for the applicant.</p> <p>In this application, the applicant who is a District Leprosy Consultant under the Chief Medical Officer of Health, Asansol Health District, - has prayed for certain reliefs, the relevant portion of which is as under :</p> <p>“(a) An order be passed directing the respondent authorities particularly the respondent No.3 to allow the applicant to participate in the recruitment process for appointment to the posts of Homeopathic medical officers under the West Bengal Homeopathic Health Service as stated in Annexure “F” by</p>	

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	<p>relaxing the age bar of 40 years.</p> <p>(b)</p> <p>(c) An order be passed to condone the delay, if any, in filing the instant application.”</p> <p>Prayer has also been made for interim order which is as under:</p> <p>(a) An order be passed directing the respondent authorities particularly the respondent No.3 to allow the applicant to participate in the recruitment process for appointment to the posts of Homeopathic Medical Officers under the West Bengal Homoeopathic Health Service by relaxing the age bar of 40 years.”</p> <p>It appears from the advertisement dated 20th December, 2019, appearing at page 31 of the application, that applications for the posts were to be accepted between 30th December, 2019 to 7th January, 2020. Referring to paragraph 9 of the application, it is submitted on behalf of the applicant that since the applicant could not file the application within the prescribed time, direction may be issued on the respondents to accept the application beyond</p>	

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SCN.	<p>time and to condone the age bar. With regard to the condonation of age bar reliance has been placed on the order dated 20th February, 2019 passed in O.A. No. 532 of 2018 : Krishna Gopal Roy vs. The State of West Bengal & Ors. as well as the judgement passed by the larger Bench in W.P. 2256 (W) of 2011 : Gobinda Chandra Mondal vs. Principal, Rabindra Mahavidyalaya : 2013 (1) CHN (CAL) 9.</p> <p>Since we find that the applicant was aware about the last date for filing the application and did not file the application in time, this Tribunal cannot stretch the period of time for accepting the application for the post concerned as mentioned in the advertisement. Therefore, 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>	