

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Dr. Subesh Kumar Das**

Case No – OA 1559 OF 2012

Sujit Kumar Shaw 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
22 07.08.2018	<p>For the Applicant : Mr. G.P. Banerjee, Learned Advocate.</p> <p>For the Respondents : Mr. A.L. Basu, Learned Advocate.</p> <p>The applicant has prayed for direction upon the respondents to grant permission to appear in the Departmental Examination for promotion to the rank of Assistant Sub-Inspector of Kolkata Police on cancellation of Order No. 936 issued by the Joint Commissioner of Police (Headquarters), Kolkata and published in Kolkata Police Gazette on June 26, 2012.</p> <p>The contention of the applicant is that he has been working in the post of Sower of Kolkata Police. The further contention of the applicant is that he is entitled to be considered for promotion to the post of Assistant Sub-Inspector of Kolkata Police along with Constables/Lady Constables/Sepoys by participating in the Departmental Examination to be held on the basis of the order issued by the Joint Commissioner of Police (Headquarters), Kolkata.</p> <p>Mr. Banerjee, Learned Counsel for the applicant, contends that the state respondents have previously granted promotion to the rank of Assistant Sub-Inspector of Kolkata</p>	

ORDER SHEET

Sujit Kumar Shaw

Form No.

Vs.

The State of West Bengal & Ors.

Case No. **OA 1559 OF 2012**

Police by granting permission to the Sowers to participate in the Departmental Examination for the purpose of the said promotion. On the other hand, Mr. Basu, Learned Counsel representing the state respondents, has relied on the reply and submitted that the post of Sower is not the feeder post of Assistant Sub-Inspector of Kolkata Police and as such, the applicant cannot be granted permission to participate in the Departmental Examination along with Constables/Lady Constables and Sepoys of Kolkata Police for promotion to the post of Assistant Sub-Inspector of Kolkata Police.

Having heard Learned Counsel representing both parties and on consideration of the materials on record, we find that the post of Sower to which the applicant belongs is not the feeder post of Assistant Sub-Inspector of Kolkata Police. It appears from order dated June 28, 2011 issued by the Additional Chief Secretary to the Government of West Bengal, Department of Home (Police) that some Sowers who were recruited initially from the post of Constables having riding experience, were permitted to participate in the Departmental Examination for promotion to the post of Assistant Sub-Inspector of Kolkata Police and they got the promotion accordingly. Since there is nothing on record to indicate that the present applicant working as Sower of Kolkata Police was initially recruited as Constable of Police and thereafter deputed to the post of Sower having riding experience, we are of the view that the applicant is not entitled to

ORDER SHEET

Sujit Kumar Shaw

Form No.

.....

Vs.

The State of West Bengal & Ors.

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Case No. **OA 1559 OF 2012**

Sanjib	<p>get the benefit of Memorandum dated June 28, 2011 issued by the Additional Chief Secretary to the Government of West Bengal, Department of Home (Police) (Annexure-A to reply).</p> <p>In view of our above findings, the applicant is not entitled to get any relief in the present application. So, the present application is dismissed.</p> <p>Let a plain copy of this order be supplied to both parties.</p> <p>(S.K. DAS) MEMBER(A)</p> <p>(R. K. BAG) MEMBER (J)</p>	
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