

**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 765 OF 2019

**NIRMAL KUMAR MAHATA 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 style="text-align: center;">3</p> <hr/> <p>14.11.2019</p>	<p>For the Applicant : Mr. A. Banerjee, Miss S. Dasgupta, Advocates</p> <p>For the Respondents: Mr. G.P. Banerjee, Advocate</p> <p>Though the matter has appeared under the heading “New Application”, on the prayer of Mr. A. Banerjee, learned advocate for the applicant the matter is taken up for hearing to which Mr. G.P. Banerjee, learned advocate for the respondents, in his usual fairness does not oppose.</p> <p>Mr. A. Banerjee submits that since the applicant had passed the physical measurement test and the physical efficiency test in the selection process for the post of Constable in the West Bengal Police of 2015, appropriate order may be passed for appointing the applicant in the post of Constable in the OBC (B) category.</p> <p>Mr. G.P. Banerjee submits on instruction that after the applicant participated in the physical measurement test and physical efficiency test, he had appeared and participated in the written test in which he</p>	

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SCN.	<p>obtained 15.375 marks, whereas the cut off marks for appearing in the interview was 34.125 marks in the said category. Since the applicant did not secure the qualifying mark for interview, he was not short-listed for interview. Let a copy of the written instruction filed by Mr. G.P. Banerjee be kept on record and a copy also be served on Mr. A. Banerjee which is served and accepted.</p> <p>Since we find that the applicant, after having passed the physical measurement test and the physical efficiency test in the selection process for the post of Constable in the West Bengal Police of 2015, had participated in the written test and secured 15.375 marks, whereas the cut off marks in the OBC (B) category for appearing in the interview was 34.125 marks, no order is passed in this application. The application is disposed of.</p> <p>Mr. A. Banerjee submits that liberty may be granted to the applicant to challenge the selection process in the written test and interview. In our view as the said prayer does not require an order to be passed, no order is passed in this regard.</p> <p>(P. Ramesh Kumar) MEMBER (A)</p>	<p>(Soumitra Pal) CHAIRMAN</p>