

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

The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Subesh Kumar Das

Case No –OA 826 OF 2017

BABLA MAJHI 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>4 22.06.2018</p>	<p>For the Applicant : Mr. S. Ghosh Mr. R. K. Mondal Learned Advocate</p> <p>For the State Respondent: Mr. M.N. Roy Learned Advocate</p> <p>The contention of the State respondents is that the applicant Babla Majhi cannot be given appointment on compassionate ground as a candidate belonging to Scheduled Tribe community as the Scheduled Tribe Certificate produced by the applicant from Sub-Divisional Officer, Diamond Harbour, South 24 Parganas is found to be fake during police verification. The reply filed on behalf of respondent No. 5 indicates that the certificate of Scheduled Tribe produced by the applicant was found to be fake during police verification. The record of police verification is not placed before the Bench and as such, we are not in a position to decide whether the Scheduled Tribe Certificate produced by the applicant was genuine or fake. Since Sub-Divisional Officer, Diamond Harbour, South 24 Parganas seems to have issued Scheduled Tribe Certificate No. DS / 500004 dated October 27, 1995 on</p>	

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OFFICE to note	<p>the basis of Petition No. 248 / 95 / PP of the applicant Babla Majhi, son of Lada Majhi, village Patibunia, P.O. Patibunia, P.S. Namkhana, District – South 24 Parganas, we are inclined to call for a report from Sub-Divisional Officer, Diamond Harbour to ascertain whether the document was fake or genuine.</p> <p>Accordingly, Sub-Divisional Officer, Diamond Harbour, South 24 Parganas is directed to conduct an enquiry and submit a report before this Tribunal as to whether Scheduled Tribe Certificate No. DS / 500004 dated October 27, 1995 issued by Sub-Dvisional Officer, Diamond Harbour, South 24 parganas in respect of Babla Majhi is genuine or fake within a period of eight weeks from the date of communication of the order.</p> <p>The Registry is directed to serve copy of this order along with a copy of the said Scheduled Tribe Certificate (Annexure “A” to the original application) on Sub-Divisional Officer, Diamond Harbour, South 24 Parganas by speed post within a period of two weeks from the date of this order.</p> <p>On prayer of Learned Counsel for the applicant list the matter under the heading “Hearing” on 24th September, 2018.</p>	

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SCN.	<p style="text-align: center;">Rejoinder, if any, may be filed by the applicant in the meantime after service of copy on the other side.</p> <p>(S.K. Das) MEMBER (A)</p> <p style="text-align: right;">(R.K. Bag) MEMBER (J)</p>	