

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

**The Hon'ble Mrs. Urmita Datta (Sen)
& The Hon'ble Dr. Anup Kumar Chanda.**

Case No – OA-736 of 2017.

Shovona Dash. –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;"><u>03</u> 04.05.2018</p>	<p>For the Applicant : Mr. Bibekananda Tripathy, Advocate.</p> <p>For the Respondent : None.</p> <p>The instant application has been filed basically praying for a direction upon the authority to consider the representations of the applicant date 20.04.2015, 04.08.2015 and 10.07.2017.</p> <p>According to the applicant, she was initially appointed and joined as A.N.M (R) to the post of Health Worker (Female) on 08.04.1981 in Nandigram B.P.H.C. Block under the District Purba Medinipur. However, subsequently, she had undergone through the Promotees Training Courses of Health Supervisor (Female) at PTS Burdwan from 10.09.1997 to 09.03.1998 and after successful completion of the said training, she was promoted as Health Supervisor (Female) at Matherdighi P.H.C. Canning-II Block, South 24 Parganas under Memorandum No.-HNG/9M-325-92/Pt. III/2701 dated 22.02.1999 as mentioned in Serial No.-22.</p> <p>However, accordingly the applicant, due to her mother's illness, she was not in a position to avail the benefit of promotion and did not join the said post.</p>	

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	<p>According to the applicant, one circular was issued on 24.05.2011 (Annexure-B). On the basis of the circular, applications were invited from the willing Health Assistants (Female) as well as Grade-III A.N.M (Old) candidates for Promotees Training Courses of Health Supervisor (Female).</p> <p>However, as per the records, she has made an application before the Joint Director of Health Services (Nursing), West Bengal, Sasthya Bhavan, Salt Lake, Sector-V, Kolkata-91 on 04.08.2015 praying for promotion and posting as Health Supervisor (Female) at Nandigram B.P.H.C. Nandigram, District- Purba Medinipur followed by another representation dated 16.04.2015 and lastly on 10.07.2017 (Annexure-C). Since, all the representations were not considered, being aggrieved with she has filed the instant application.</p> <p>During the course of hearing, the counsel for the applicant was trying to convince the Court and has submitted that since she passed in the Promotees Training Courses in the 1999, however, due to her personal difficulties, she could not avail that benefit and subsequently, her juniors were also promoted,</p>	

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	<p>therefore, she should be considered for promotion and posting as Health Supervisor (Female) at Nandigram B.P.H.C. Nandigram, District- Purba Medinipur.</p> <p>Heard the counsel for the applicant. It is noted that the applicant is basically asking for promotion and posting to the post of Health Supervisor (Female) at a particular place i.e. Nandigram B.P.H.C. Nandigram, District- Purba Medinipur. On the basis of her earlier selection of promotion granted to her in the year 1999, which she admittedly refused on her personal ground. However, after a long time since 1999, she has filed the instant application in the year 2017 only. The counsel for the applicant has finally submitted that she should be considered for promotion and posting at Nandigram B.P.H.C. Nandigram, District- Purba Medinipur as per Notification no.-HNG/4T-16-2011/552 dated 24.05.2011, since there certain vacancies have arisen.</p> <p>However, after going through the said circular, it is noted that in Column-11 under the heading "Declaration" it is clearly stipulated :</p> <p style="text-align: center;">"I am willing to be posted at any Block under</p>	

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Sourav	<p style="text-align: center;">any District in West Bengal after successful completion of the course when offered with a promotional post.”</p> <p>Therefore, after hearing the applicant and going through the documents, we are of the considered opinion that the application is vague in nature as there is no cause of action arisen. Rather the applicant is asking for conditional promotion with favourable posting. Accordingly, the application is dismissed, with no order as to cost, with the above observations.</p> <p style="text-align: center;">DR. A. K. CHANDA MEMBER (A) URMITA DATTA (SEN) MEMBER (J)</p>	