

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER

Case No. – MA-84 of 2022 (OA 1560 of 2013)

Radharaman Pal - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

08
07.03.2024

For the Applicant : Mr. G.P. Banerjee,
Mr. S.S.Mondal,
Learned Advocates.

For the State Respondents Mr. M.N. Roy,
Learned Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for a direction to the respondent authorities to allow the applicant to resume his duty and pay him his back wages w.e.f. 04.12.2007. The application also prays for setting aside the reasoned order dated 05.01.2019 passed by the Respondent No. 3. From the preliminary submissions and perusal of the records it appears that way back in the year 2007, the applicant was successful in the test conducted for the post of Constable in W.B.P. Such recruitment process was then supervised by the District Superintendent of Police. However, at the time of joining the post as a Constable, the respondents found some mal practice in the document earlier shown by the applicant. For instance the photograph appears to be of another person and other personal details of successful candidate appear to have been presented by the applicant. Having detected such unlawful practice, the respondent had lodged a criminal case against the applicant and was not allowed to join the police force.

In the opinion of this Bench, this matter involves various points

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of law and it would be appropriate if this matter is heard by a Bench comprising two Members (Judicial & Administrative). The learned counsels of both the sides also agreed to this suggestion.

Let this matter be placed before such a Bench under the heading Hearing on **10.12.2024**.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

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