

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

& The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –MA-106 of 2021(OA-505 of 2020).

Dr. Amal Pan. - Versus – The State of West Bengal and Others.

Serial No. and
Date of order

For the Applicant

: Mr. B. Nandy,
Advocate.

1
17.11.2021.

For the State Respondents

: Mr. G. P. Banerjee,
Mr. B. P. Roy,
Advocates.

Though the matter has appeared under the heading “To Be Mentioned”, on the prayer of Mr. B. Nandy, learned advocate for the applicant, the matter is taken up for hearing which Mr. G. P. Banerjee, learned advocate appearing along with Mr. B. P. Roy, learned advocate for the State respondents, in his usual fairness, does not oppose. It is submitted on behalf of the applicant that though the matter regarding appointment of Homoeopathic Medical Officer under the Health and Family Welfare Department, Government of West Bengal is pending and in spite of directions as evident from orders dated 1st March, 2021, 13th August, 2021 and 1st October, 2021, no reply has been filed by the State respondents, since the respondents have published a panel for recruitment to the said post, the entire selection process may be stayed.

Mr. Banerjee submits since there is no interim order and the selection process has been conducted in accordance with law, even if no reply has been filed, no interim order may be passed.

Perusing the orders passed we find though no interim order has been passed, however, as till date in spite of repeated directions no reply has been filed by the State respondents, a prima facie case has been made out on behalf of the applicant. Therefore let there be an interim order directing the Secretary, Department of Health and Family Welfare, Government of West Bengal, the Director of Homoeopathy,

ORDER SHEET

Form No.

Dr. Amal Pan.

Case No. **MA-106 of 2021(OA-505 of 2020).**

Vs.
The State of West Bengal and Others.

Directorate of Homoeopathy, Government of West Bengal and the Secretary and Controller of Examinations, West Bengal Health Recruitment Board – the respondent nos. 1, 2 and 3 respectively to keep one post vacant with regard to appointment of Homoeopathic Medical Officer till the disposal of the original application without prejudice to the rights and contentions of the parties and subject to further orders that may be passed and appointments given shall abide by the result of the application.

Let the matter appear under the heading “Hearing” on 17th January, 2022 as party directed by order dated 1st October, 2021.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN

S.M.