

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. – OA 128 of 2023

Abhijoy Panja - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. S. Bhattacharjee,
Learned Advocate..

05
19.03.2024

For the State Respondents None.

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 counsel for the contesting party, the case is taken up for consideration sitting singly.

The Health Recruitment Board through a R.T.I. reply dated 19.10.2022 informed the applicant that he had scored a total 57.08 marks out of 100 marks in the selection process for the post of Laboratory Assistant. Surprisingly by another R.T.I. reply dated 10.05.2022, he had received the intimation that he had scored 61.425 marks.

Submission of Mr. Bhattacharjee is that based on this total 61.425 marks the applicant comes under the zone of consideration and is eligible to fill up two vacant posts which is still lying vacant. In this regard, the applicant had furnished a representation before the Secretary & Controller of Examinations dated 22.11.2022. Mr. Bhattacharjee submits that though such representation was considered and a response dated 19.12.2022 was received but such response only intimates the total 57.08 marks the applicant received. The replies to the representation remained silent on other points ventilated by the applicant. Therefore, submission is for a direction to the respondent authorities to consider the representation dated 22.11.2022 in its totality and considering that the applicant had scored 61.425 marks he may be accommodated against

ORDER SHEET

Form No.

Abhijoy Panja

Vs.

Case No **OA 128 of 2023**

THE STATE OF WEST BENGAL & OTHERS.

one of the two vacant posts.

Having heard the submissions of the learned counsel and considering the facts and circumstances of this case, this application is disposed of by directing the Respondent No. 4, Secretary & Controller of Examinations, West Bengal Health Recruitment Board to consider the representation of the applicant considering all the points contained in the representation, in particular, the difference of total marks communicated to the applicant in two separate R.T.I. replies. Let the applicant be given opportunity of hearing and after such hearing and examination of the records pass a reasoned order within a period of three months from the date of communication of this order.

Accordingly, the matter is disposed of.

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

SC