

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

**Present-**

**The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)**

**Case No. OA – 134 of 2022**

**Soumen Saha & Others - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order <u>9</u> 21.12.2022	For the Applicants	: Mr. S. Roy Choudhury, Mr. M.N. Roy, Advocates
	For the Respondents	: Mr. G.P. Banerjee, Advocate
	For the P.S.C., W.B.	: Mr. S. Bhattacharjee, Advocate

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638 – WBAT / 2J-15/2016 dated 23<sup>rd</sup> 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.

Mr. Roy, appearing on behalf of the applicants, prays for liberty to submit their individual representations before the Public Service Commission ventilating their grievances regarding the exam of clerkships conducted by the Public Service Commission in the year 2019. Mr. Bhattacharjee, appearing on behalf of the Public Service Commission, opposes such a liberty to the applicants by contesting that such liberty to file representation before the Public Service Commission already exists and if such a representation has to be filed, the same can be filed only after withdrawing the application from the Tribunal. Mr. Bhattacharjee also submits that this application is not maintainable as stated in their reply without having exhausted other remedies.

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Vs.

THE STATE OF WEST BENGAL & ORS.

After hearing the learned counsels and considering the facts and circumstances, liberty is given to the applicants to furnish their representations ventilating their grievances before Secretary, Public Service Commission who should be added as a party respondent no. 5. Liberty is given to the applicants to add Secretary, Public Service Commission as party in the cause title. Secretary, Public Service Commission, Respondent No. 5 is directed to consider and pass a reasoned order, if such representations are filed by the applicants before him within a period of twelve weeks. The applicants are directed to file their representations before the Respondent No. 5 within a period of four weeks from the date of this order. It is made clear that I have not got into the merits of each applicant's case and all facts are left open for the Respondent No. 5 to deal with according to law. Accordingly, the O.A. is disposed of.

SAYEED AHMED BABA  
OFFICIATING CHAIRPERSON & MEMBER(A)

A.K.P