

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 488 OF 2024

BISWAJIT DAS - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. Partha Sarathi Das, Learned Advocate
	For the State Respondents	: Mr. Debabrata Kole, Learned Advocate

5
28.07.2025

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.

By filing this application, the applicant has prayed for setting aside the impugned order No.1613 dated 08.04.2024. In terms of a direction of this Tribunal in O.A. 879 of 2021, the respondent authority passed this order. The applicant in the Original Application had prayed for a direction to the respondent authorities to promote him from the post of Group 'D' to the post of L.D.C. It was submitted earlier that the applicant, a physically challenged person, was not considered for such promotion though he had fulfilled other eligibility criterias. The learned counsel for the respondent had submitted that in the 50 point roster, no such reservation has been made for physically challenged employees. For promotion to the post of L.D.C. from the post of Group 'D', a type test is required to be passed. In the reasoned order, the respondent authority observed that the applicant had problems in his left leg, but he is able to participate in the type test. Mr. Partha Sarathi Das, learned counsel is not against the applicant participating in a type test.

Mr. Debabrata Kole, learned counsel for the respondents submitted that whenever the type test is conducted, the applicant is at liberty to participate in the process to fulfil the necessary eligibility criteria for promotion to the post of L.D.C. It is made clear that the applicant has to clear the type test.

Having heard the submissions of the learned counsels and considering the facts and circumstances of the matter, the Tribunal disposes of this application with a direction to the applicant to participate in the type test whenever there is a notification for promotion to the post of L.D.C.

SCN.

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