

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 – 515 of 2024

Anindya Singh - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Mr. Subhronil Ghosh,
and Advocate

Date of order
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14.11.2024 For the 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 dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Affidavit of service filed be kept in record.

The applicant had applied for the post of Homoeopathic Medical Officer in terms of an advertisement published by the West Bengal Health Recruitment Board being advertisement No. R/Homoeopathic Medical Officer/5/2024 dated 29.02.2024. However, his application was rejected in the Board's Portal giving the reason that there was a mismatch of father's name (title). From his submission and records referred to, it has become clear that the Board found some of the documents in which the name of his father was recorded as Santosh Singh and in some documents, Santosh Singh Sardar. In the online application for this post, the applicant had entered Santosh Singh as the name of his father and in the copy presented by the applicant showing Admission Card for Central Board of School Education, Delhi, his father's name has been recorded as Santosh Singh. A copy of the PAN Card of the applicant also shows Santosh Singh as the name of his father. Mr. Ghosh, learned counsel explains that father's full name is Santosh Singh Sardar and it so recorded in some of the documents.

The Tribunal after examination of Aadhar Card No. 740110029389 finds that name of Santosh Singh Sardar is recorded. Similarly, from the copy of the Caste Certificate, issued both to father and the applicant, the name of Santosh Singh Sardar appears. Being faced with such dilemma of having his father's name with or without the Sardar, the applicant affirmed an affidavit before the learned Judicial Magistrate, 1st Class, 2nd Court, Purulia affirming that due to mistake / inadvertence, the name of his father in some documents has been recorded as Santosh Singh Sardar and only Santosh Singh, in some other documents. The copy of the affidavit No. 19649 was affirmed on

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Form No.

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09.07.2024 by the applicant before the learned Judicial Magistrate. Mr. Ghosh also informs that though the authorities allowed the applicant to apply through online and applicant did so but the same was again rejected, now on the ground that the affidavit date of 09.07.2024 was after the last date of submission of documents as per the advertisement.

From the submission of the learned counsel and on perusal of the record in this application, the Tribunal is fully satisfied with the contention that the name of his father recorded in some documents as Santosh Singh and Santosh Singh Sardar in some other documents are the same and one person. This fact was also affirmed through an affidavit before the learned 1st Class Magistrate. The Tribunal does not find any reason why it should doubt the veracity of the applicant in stating that his father's name has been recorded Santosh Singh and Santosh Singh Sardar differently. The copies of the document shown to the Tribunal itself is evident enough to satisfy the statement made by the applicant. Further, an affidavit has been affirmed before the 1st Class Judicial Magistrate. The Tribunal is also not satisfied that filing of such an affidavit was rejected on the ground that such affidavit dated 09.07.2024 was after the last date of submission of documents. Therefore, being satisfied with the prayer of the applicant, the Tribunal directs the respondent No. 2 (a) (iii), the Secretary and Controller of Examination to accept the application of the applicant through online / offline and issue him the admit card, if otherwise eligible. Let copy of this order be communicated by the applicant to the respondent No. 2 (a) (iii), the Secretary and Controller of Examination.

The application is disposed of.

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)

A.K.P/H.S.