

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 870 OF 2018

MIHIR KANTI BISWAS - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr. T. Das Ray, Advocate
	For the State Respondents	:	Mr. Gautam Pathak Banerjee, Advocate
<u>19</u> 29.09.2023	For the Group D Recruitment Board	:	Mr. Gaurav Haldar, Advocate

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 counsels for the parties, the case is taken up for consideration sitting singly.

This application is filed by Mihir Kanti Biswas, who has not qualified in the West Bengal Group 'D' Recruitment Examination, 2017. Attention of the Tribunal is drawn to pages 15 which appears to be applicant's Scheduled Caste certificate, issued by the competent authority; page 20 which appears to be an Admit Card for appearing in the interview in which he has been shown as SC and page 21 which appears to be the Admit Card for the written examination for the post of Group 'D' in which also under category, he has filled up "SC" as shown against his name.

Submission of Mr. T. Das Ray, learned counsel is that despite belonging to the SC category and also despite being shown as SC in other documents, however, in the document mentioned at page 23, which appears to be the final result, his category as "SC" has not been shown, rather "NA" has been recorded against his selected category. In view of such glaring error, Mr. Ray assumes that if his category was shown as SC and if considered as Scheduled Caste candidate, the applicant would have qualified.

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In response to the above observations, Mr. Gaurav Haldar, learned counsel prays for accommodation for filing a reply after taking instructions and the observation, as submitted by Mr. Ray, will be responded.

Let such reply of the State respondents, answering and clarifying the submissions of Mr. Ray, regarding the error of not recording the category of the candidate in the final result, be explained and be filed on the next date and let the matter appear under the heading "Hearing" on 25.01.2024.

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

SCN.

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