

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 127 of 2024

SADDAM HUSSAIN - Vs - THE STATE OF WEST BENGAL & OTHERS.

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|---------------------------------|---|---------------------------------------|
| Serial No. and Date of order | For the Applicant | : Mr.S. Chakraborty Advocate |
| <u>01</u> 09.04.2024 | For the State Respondent | : None |
| | For the Public Service Commission, West Bengal | : Mr.Sourav 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 (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 contesting parties, the case is taken up for consideration sitting singly.

By filing this application, the applicant has prayed for setting aside the impugned Memo. No. 28.12.2023 issued by the Secretary, Public Service Commission. The applicant has also prayed for allowing him to appear for the WBCS (Executive) Examination- 2022. By this impugned order, the applicant's paper for examination in Urdu-II has been cancelled and he has also been debarred from appearing at any examination of the Commission for the next two years. From the submissions, it is understood that the applicant was found having his mobile phone during the examination. As per the admit card and other informations made to the candidates, no mobile phone is allowed inside the examination hall. The fact that the applicant was found carrying a mobile phone has not been disputed by the applicant side. However, the prayer is for a direction to the Commission to consider his representation.

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Having heard the submissions of both the learned counsels, the application is disposed of by directing the respondent No. 3, the Secretary, Public Service Commission to consider his representation within a reasonable period as per Commission's rules. Accordingly, the application is disposed of.

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

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