

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 131 of 2024

ANIMA KUMAR - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and Date of order	For the Applicant	: Mr.Rahul Deb Goenka Advocate
<u>01</u> 09.04.2024	For the State Respondent	: Mr.R.K.Mondal 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 a direction to the respondent authorities to give appointment to the post of Homoeopathic Pharmacist. She had participated in the selection process for the post under PWD category. Though recommended by the Health Recruitment Board, subsequently her candidature was cancelled by the impugned Memo. which gave the reason that she had only 12% disability. As understood from the advertisement a candidate claiming to be a PWD category has to have 40% disability and such disability is examined and certified by a Medical Board. Though the applicant has furnished a copy of her disability certificate showing disability at 45%, but instead of Medical Board, this certificate has been issued by the Medical Superintendent & Chairman, Deben Mahato (Sadar) Hospital, Purulia. Submission of R.K.Mondal is that as per assessment of the Medical Board, her disability is only 12%.

The matter is admitted. Let a copy of the Disability Certificate

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issued by the Medical Board be filed before this Tribunal on the next date. Let the matter appear under the heading 'Hearing' on 30th July, 2024. Reply, rejoinder, if any, in the meantime.

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

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