

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 134 OF 2021

MOIN MONDAL & OTHERS - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

For the Applicants : Mr.Arka Maity
Advocate

06
23.09.2023

For the State Respondents : Mr.Manujendra Narayan Roy
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.

In today's special session of this Tribunal, Mr. Roy, learned counsel for the State files copies of the following judgments of the Hon'ble Apex Court and concludes his submissions. (1) (1990) 3 Supreme Court Cases 368 (2) (2020) 17 Supreme Court Cases 401 and (3) 2022 SCC OnLine SC 425.

Similarly, Mr.A.Maity also files a copy of judgement - 1989 Supp (1) Supreme Court Cases 393.

During submissions, the learned counsels have referred to the relevant paras of these judgements in support of their contentions.

Today, Mr.A.Maity, learned counsel presents a copy of Memo. 681 dated 26.04.2023 which is a report sent by the Member Secretary, West Bengal Police Recruitment Board to the Director General & Inspector General of Police. On examination of this correspondence, appearing at page 2, it is learnt that out of these 13 candidates, 8 (eight) candidates are within the zone of consideration. The final order regarding recommendation of those candidates for appointment to the post of Constables / Lady Constables in the West Bengal Police – 2020

is pending for direction by this Tribunal. Submission of Mr.Maity is that a direction may be given to the State respondent to recommend names of these 8 (eight) candidates for appointment after relaxing their age.

It is also important to recall that by order of the Hon'ble High Court in WPST 58 of 2021, some of the petitioners were allowed to participate in the selection process. Similarly some other applicants in OA-107 of 2021 were allowed to participate in the selection process by an order dated 15.02.2021.

Since it has been brought to the notice of this Tribunal that out of 13 candidates, 8 (eight) of them have qualified and are within the zone of consideration for recommendation to the post of Constable / Lady Constable, let the respondent, the Member Secretary, West Bengal Police Recruitment Board furnish the names of these 8 (eight) candidates before this Tribunal by the next date.

Let this matter appear under the heading "For Orders" on 29th September, 2023.

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

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