

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 139 of 2024

Mousumi Bag - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant

:

Mr. A. Nandi,
Learned Advocate.

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09.04.2024

For the respondents

Mr. G.P. Banerjee,
Mr. M.N. Roy,
Learned Advocates.

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.

Affidavit of service filed, be kept with the record.

The applicant has prayed for a direction to the respondent authorities not to reject her candidature for the post of Lady Constable in West Bengal Police Recruitment Examination-2023. It appears that due to her failure to submit the Enrolment Certificate as a Home Guard, her candidature was not accepted at the interview stage. As stipulated in the advertisement and also in the interview call letter, she was required to submit her Enrolment Certificate of being a Home Guard from the competent authority. Instead of submitting the same in the prescribed proforma, a simple certificate issued by the Superintendent of Police, Hooghly was submitted. Mr. Nandi, learned counsel for the applicant argues that the applicant had applied for such Enrolment Certificate before the Superintendent of Police who out of ignorance issued such a simple certificate instead of prescribed proforma. It is not her fault that instead of issuing the same in the prescribed proforma, the competent authority issued a certificate different from the proforma.

Mr. Banerjee, learned counsel appearing for the state respondents, however, disagrees and submits that the applicant being a

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Mousumi Bag

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Post Graduate should have known better from the advertisement as well as the call letter for interview that such a certificate was to be submitted in the prescribed proforma. The prescribed proforma was also made a part of the advertisement and easily accessible in the Board's website. Since the entire selection process is over, there is hardly any scope to consider her prayer.

After hearing the submissions of the learned counsels and considering the facts and circumstances of this case, the Tribunal finds that it was applicant's primary responsibility that the Enrolment Certificate was to be obtained in the prescribed proforma from the competent authority. This prescribed proforma was available to the candidate from the advertisement as well as the call letter. Though, she reached the interview stage but it is unfortunate that due to her own ignorance the correct document was not furnished before the Interview Board in the prescribed proforma. The Tribunal does not find it appropriate to pass any direction to the respondents and disposes of this application.

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

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