

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 143 OF 2024**

MD. HAFIZUR RAHAMAN - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr.Goutam Pathak Banerjee Ms.Aishwarya Pathak Banerjee Advocates
<u>01</u> 20.03.2024	For the State Respondents	:	None

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 counsel, the case is taken up for consideration sitting singly.

The applicant has prayed for a direction to the respondent authorities to allow him to apply for the post of Homoeopathic Medical Officer.

From the submissions of Mr.G.P.Banerjee, learned counsel for the applicant and the representation referred to dated 13.03.2024, it appears that the applicant has crossed the maximum age limit for this post. As per the representation itself, the applicant says that he has exceeded 3 years 2 months and 4 days and thus, not able to apply for this post. Though Mr.Banerjee refers to several judgements of Hon'ble Supreme Court, High Court and this Tribunal, but in my opinion, the advertisement has clearly laid down the age criteria. The applicant has not been able to fulfil this important requirement of the advertisement and being over aged is not eligible to apply for such post. The advertisement also does not given any kind of relaxation in age for those having work experience in the Government sector. Mr.Banerjee prays for a direction to the respondents to consider his representation.

Let this representation filed by the applicant dated 13.03.2024 before the Secretary & Controller of Examinations, West Bengal Health Recruitment

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Board, the respondent No.4 be examined and considered as per rules. The same may be disposed of after such examination.

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

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