

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 177 OF 2025

DR. ANANT KUMAR GARG - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr. Sankha Ghosh, Mr. Manujendra Narayan Roy, Mr. Gaurav Haldar, Learned Advocates
<u>2</u> 13.05.2025	For the State Respondents	:	Mr. Gautam Pathak Banerjee, Learned 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.

The prayer in this application is for a direction to the respondent authorities to issue “No Objection Certificate” in favour of the applicant to enable him to participate in the selection process / interview to the post of “Professor of Orthopaedics at All India Institute of Medical Science (AIIMS), Kalyani”.

It has been submitted by Mr. Ghosh, learned counsel that in W.P.S.T. 217 of 2024, the Hon'ble High Court had directed the respondent authorities to issue No Objection Certificate for his participation in the selection process conducted by AIIMS under advertisement No.678 dated 10.07.2024. The applicant had appeared in the selection process, but was not successful.

Now, wishing to appear for another selection process conducted by the same institute, AIIMS, Kalyani, through its advertisement No.3083 dated 27.02.2025, the applicant had prayed before the Director of Medical Education for issuing him the N.O.C. Such representation was forwarded before the Director of Medical Education on 09.03.2025. Submission is direction be given to the Director of Medical Education to consider his representation in the light of the order passed by the Hon'ble High Court in W.P.S.T. 217 of 2024.

Mr. Banerjee, learned counsel appearing on behalf of the respondent authorities submits that if such a direction is passed, the same will be considered.

Having heard the submissions and considering the facts and circumstances of the case, this application is disposed of by directing the respondent No.4, the Director of

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Medical Education, Department of Health and Family Welfare to consider within 6 (six) weeks the representation filed before him by the applicant dated 09.03.2025 for issuing the N.O.C. to enable him to appear in the selection process / interview for the post of “Professor of Orthopaedics at All India Institute of Medical Science (AIIMS), Kalyani in terms of the advertisement No.3083 dated 27.02.2025. While considering the representation the respondent No.4, the Director of Medical Education, Department of Health and Family Welfare shall also rely on the direction of the Hon’ble High Court in W.P.S.T. 217 of 2024. The final decision be communicated to the applicant within two weeks thereafter.

SCN.

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