

**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 203 OF 2018**

**ABUL BASHAR & OTHERS - Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and  
Date of order

21  
15.01.2025

For the Applicants : Mr.Sankha Ghosh  
Mrs.Subarna Das  
Advocate

For the State Respondents : Mr.Goutam Pathak Banerjee  
Advocate

For the Public Service Commission, West Bengal : Mr.Sourav Bhattacharjee  
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 23<sup>rd</sup> 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.

From the introductory submissions of the learned counsels representing all the sides, it appears that the Public Service Commission on behalf of the erstwhile Staff Selection Commission made the following statements in the reply filed before this Tribunal.

*“From some scanty information as provided by the erstwhile WBSSC, we came to learn that during processing of the result of S.I. of Food (2<sup>nd</sup> Nomination) though Result Processing Software some errors crept in and as a result of which names of 43 candidates belonging to OBC ‘A’ (EC) category who scored higher marks than the minimum marks obtained by the nominated candidates had been left out inadvertently. This error was totally unintentional, which occurred during the computing of the final results.”*

**ORDER SHEET**

Form No.

**ABUL BASHAR & OTHERS**

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**Vs.**

**THE STATE OF WEST BENGAL & OTHERS.**

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The reply also enclosed a copy of the West Bengal Staff Selection Commission dated 27.03.2017. The above statement made by the Commission has also been stated by the Secretary-cum-Controller of Examinations, West Bengal Staff Selection Commission in the letter.

Mr.S.Bhattacharjee, learned counsel suggests that since the Staff Selection Commission is now in existence and since the Public Service Commission is not responsible to respond against the prayer in this application, therefore, the Staff Selection Commission may be added as the respondent authority.

Let the Secretary-cum-Controller of Examinations, West Bengal Staff Selection Commission be added as respondent No. 4 and a copy of this application be served along with reply and rejoinder by the applicant side to the added respondent No. 4.

The added respondent No. 4, the Secretary-cum-Controller of Examinations, West Bengal Staff Selection Commission is directed to file a reply on behalf of his Commission before this Tribunal. Let such a copy be served upon all the sides. Let a copy of this order also be communicated by the applicant side to the newly added respondent No.4. Matter to appear under the heading 'Hearing' on 30<sup>th</sup> April, 2025.

Let the Registry correct the cause title as follows: Abul Bashar + 7 others -Vs- Principal Secretary, Food and Supplies Department.

BLR

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