

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 204 OF 2024

PRIYANKA MUKHERJEE - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Mr. Masooq Rahman,
and Advocate
Date of For the State Respondents : Mr. Gautam Pathak Banerjee,
order Advocate

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11.09.2024

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 authority to recast the final merit list by taking interview of the applicant and issue appointment letter for the post of Lady Constable in Kolkata Police 2022 under UR (Sports) quota. The applicant had participated in the recruitment process under UR (Sports) quota. Being successful in the preliminary tests, she was invited to appear in the final written examination. Submission of Mr. Rahman is that as notified by the respondent authorities, a total of 19 vacancies were reserved for Lady Constables in Kolkata Police 2022 under UR (Sports) quota. Attention has been drawn to an R.T.I. reply to another person by which it is learnt that a total of 629 applications were received for Lady Constables under Sports quota. However, after the completion of all the examinations, the final merit list has recommended names of only three candidates under Lady Constable UR (Sports) quota. On being asked how much the applicant had secured in aggregate in the final written examination, Mr. Rahman could not answer to it. From the records available in this application, the Tribunal finds the name of Srabani Patra under UR (Sports) quota, having secured a total of 47.25 in the final written examination out of 85. The applicant has also not preferred any information relating to the mark she obtained through the R.T.I. Act.

Appearing on behalf of the State respondents, Mr. Banerjee, learned counsel presents a paper published by the West Bengal Police in its website containing the name of the applicant, Priyanka Mukherjee having secured 34.25 marks. Submission of Mr. Banerjee is that the final cut off marks fixed for Lady Constables under UR (Sports) quota was 40.75. Since the applicant has secured lesser than the final cut off marks, she was not recommended to appear for the next round of test which was the interview.

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The above facts are not disputed by the applicant's side. However, Mr. Rahman feels that once the Board had declared a total 19 vacancies under Lady Constable for UR (Sports) category and have recommended only 10 candidates, the remaining nine vacancy could be also recommended. His argument is that if the respondent authorities recommend candidates for these 19 vacancies, then the cut off would have been lower and therefore, the applicant would have an opportunity to be qualified for the next round.

Mr. Banerjee submits a judgement dated 05.12.2016 in W.P.S.T. 173 of 2016.

Heard the learned counsels.

The order is reserved.

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

SCN.

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