

**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 208 OF 2023**

**HARIDAS MONDAL & OTHERS - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicants : Mr. N. K. Gupta,  
and Advocate  
Date of For the Respondents : None  
order

5  
04.07.2024

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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

Mr. Gaurav Haldar is present on behalf of Mr. M.N. Roy, learned counsel for the respondents.

The prayer in this application is two fold:

- (i) To pass a direction upon the respondent authority to act in accordance with the Employment Notice No. 01/2012/KPRB by reserving / setting apart 10% of the vacancies in the post of Constables in Calcutta Police for serving Home Guards,
- (ii) Pass a direction to the respondent authorities to publish the select list of successful candidates in the written test in respect of 10% of the vacancies reserved for serving Home Guards.

Mr. Nikhil Kumar Gupta, learned counsel appearing on behalf of the applicants submits that the matter relates to the recruitment process for the post of Constables in Calcutta Police in the year 2012.

Mr. Haldar submits that this application is barred by limitation for the reason that a selection process which was conducted in the year 2012 has been challenged in this application in 2023. In the meantime the selection process has been completed and all successful candidates have already joined the post of Constables in Calcutta Police. Further, Mr. Haldar also points out that through an RTI reply

**ORDER SHEET**

Form No.

**HARIDAS MONDAL & OTHERS**

Vs.

Case No. - OA 208 OF 2023

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

some of the applicants have already been informed the reason for which they were not considered successful in the recruitment process. From the submission of Mr. Gupta and from examination of the prayers in this application, prima facie, the Tribunal finds the prayer (c) contradicting prayer (d). In prayer (c), the applicants have sought for 10% reservation for serving Home Guards in Calcutta Police, but prayer (d), the applicants have sought the names of successful candidates who were recommended under 10% reservation kept for serving Home Guards. Mr. Gupta has prayed for accommodation to take instructions from the applicants and submit his response to the observation of the Tribunal and Mr. Halдар's submission on the next date.

Let the matter appear under the heading "Admission Hearing" on 20.01.2025.

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

SCN.