

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. - OA 212 OF 2022

DR. SAILESH KUMAR DE - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	: Mr. Arup Kumar Chatterjee, Advocate
<u>4</u> 18.08.2022	For the State Respondents	: Mr. Gautam Pathak Banerjee, Advocate
	For the Respondent No.3 West Bengal Health Recruitment Board	: Mr. Gourav Haldar, Advocate

The matter is taken up by the single Bench pursuant to the order contained in the Notification No.496-WBAT / 1E-08/2003 (Pt.-II) dated 4th August, 2022 issued in exercise of the powers conferred under section 6(5) of the Administrative Tribunals Act, 1985.

In the application, Dr. Sailesh Kumar De, the applicant, - who is working since 27th October, 2011 under the National Rural Health Mission, funded by the Central Government and appointed by the Pradhan, Duan-II Gram Panchayat, - has prayed for a direction upon the respondents for permanent status without being affected by the provisions of the West Bengal State Homoeopathy Health Service Act, 2002.

Heard Mr. Arup Kumar Chatterjee, learned advocate for the applicant, Mr. Gautam Pathak Banerjee, learned advocate for the State respondents and Mr. Gourav Haldar, learned advocate for the West Bengal Health Recruitment Board.

Since the applicant is working under National Rural Health Mission funded by the Central Government and appointment has been given by the Pradhan, Duan-II Gram Panchayat and as the applicant is not concerned with "any civil service of the State" nor does he hold any "civil post" under the State as stipulated under section 15 of the Administrative Tribunals Act, 1985, the Tribunal has no jurisdiction to entertain the application. Therefore, no order is passed on the

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application. The application is dismissed. However, this order will not prevent the applicant to move before the appropriate forum ventilating his grievances, if any, and if so advised.

(SOUMITRA PAL)
CHAIRMAN

WEST BENGAL ADMINISTRATIVE TRIBUNAL