

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 219 of 2023

Sudipta Das & Ors. -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order For the Applicants : Mr. P. Saha,
Ld. Advocate.

For the State respondent : None.

02
06.04.2023

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.

On consent of the learned counsel, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

The primary prayer in this application is for setting aside the Advertisement No. R/Ayurvedic Pharmacist/7/2023 published on 14.03.2023 by the West Bengal Health Recruitment Board for the post of Ayurvedic Pharmacist. From the submissions of the learned counsel and the prayers in the application, it appears that the respondent department has not included Degree of Bachelor of Pharmacy (Ayurveda). The said advertisement, however, allows certificate/diploma holders in Ayurvedic Pharmacy to participate in the recruitment examination. Mr. P. Saha, learned counsel for the applicants submits that it is not understood why the degree holders of having completed the Bachelor's Course of 4 years from reputed Institutions like Jadavpur University have not been allowed to participate in this examination. On the other hand, those who are only diploma or certificate holders in the same Ayurvedic Pharmacy have been allowed to participate in the recruitment process for the post of Ayurvedic Pharmacist. Mr. Saha also submits that the applicants are not only Bachelor holders from Jadavpur University but also fulfil other criteria's as mentioned in the advertisement. For this reason, the applicants in this application could not submit their online applications within the due date of 31.03.2023. Prayer is that this advertisement is not fair to the degree holders, therefore, a direction may be given to the respondent authorities to allow them to participate in the recruitment examination.

ORDER SHEET

Sudipta Das & Ors.

Form No.

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Vs.

The State of West Bengal & Ors.

The matter is admitted.

The respondent no. 2, the Director of Health Services, West Bengal and respondent no. 3, Secretary and Controller of Examinations, West Bengal Health Recruitment Board to file a reply against the prayer in this application through their legal counsel before the next date of hearing. If such report is not filed by the next date and if the respondent are not represented either directly or through their legal counsel, the application will be heard and disposed of as per records.

Let the matter appear under the heading "**Hearing**" on **20.04.2023**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS