

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL
Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present : **HON'BLE JUSTICE SOUMITRA PAL,** **HON'BLE CHAIRMAN.**

Case No. – OA 249 of 2022.
NILKAMAL KARMAKAR –VS-THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. M.N. Roy, Mr. S.K. Adhikari, Advocates.
<u>3</u> 13.5.2022	For the State Respondents	: Mr. G.P. Banerjee, Advocate.

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

In this application Nilkamal Karmakar, the applicant, who has been selected for the post of Constable (Male) pursuant to the selection process for the post of Constables (Male) in West Bengal Police, 2019 has prayed for certain reliefs, the relevant portion of which is as under :-

“a) An order directing the respondents, their agents, subordinates and successors specifically the respondent nos. 4 to 6, 9 and 10 to initiate necessary verification process and further permit the applicant to join to the post of Constables (Male) in West Bengal Police, 2019 in-terms of revised Merit List of recommended candidates for recruitment to the post of Constables in West Bengal Police, 2019 published by the West Bengal Police Recruitment Board vide Memo No. PRB/GC/2022-397 Dated 24.02.2022;...”

It appears that the selection of the applicant was based on the applicant being a Scheduled Caste candidate. The Scheduled Caste certificate of the applicant was cancelled on 12th November, 2021.

Aggrieved, the applicant preferred an appeal within the time as provided under the relevant Rules, which is pending. Mr. M.N. Roy, learned advocate for the applicant submits that the applicant may be allowed to join the post subject to the result of the pending appeal.

Mr. G.P. Banerjee, learned advocate appearing on behalf of the State

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respondents submits that it is an admitted fact that the Scheduled Caste certificate of the applicant was cancelled and he has preferred an appeal. In the verification Roll submitted on 13th March, 2022 he has disclosed that he is a member of Scheduled Caste Tribe. A copy of the said verification roll furnished today be kept on record. Submission is till appeal before the Appellate Authority is disposed of, the State respondents are unable to take a decision regarding appointment of the applicant.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the District Magistrate, Jhargram, - the respondent no. 7 to dispose of the appeal filed by the applicant within eight weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal, after giving an opportunity of hearing and after verifying the records. The appointment of the applicant shall depend on the outcome of the order to be passed in appeal by the respondent no. 7.

(SOUMITRA PAL)
CHAIRMAN.

Skg.

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