

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 330 of 2024.

SOUMYA CHATTERJEE - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

01
22.07.2024

For the Applicant : Mr. A. Biswas,
Advocate.

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. 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.

Affidavit of service filed today be kept on record.

By filing this application, the prayer is for a direction to the Respondent authorities to appoint the applicant in a post of Inspector of Drugs under Directorate of Drugs. A selection process was conducted by the West Bengal Health Recruitment Board in 2016. After completion of the selection process, the final merit list containing sixty-three successful candidates was published on 27th September, 2018 recommending their appointment to the post of Inspector of Drugs. Since the name of this applicant was not in the merit list, this application has been filed challenging the validity of it on the ground that several successful candidates having lesser marks than the applicant have been recommended for the post. However, the applicant's side has not satisfied the Tribunal that the applicant's marks were higher to some of the successful candidates.

Mr. Banerjee, learned counsel opposes admission of this application on the ground that it is barred by limitation. He has also filed a copy of newspaper advertisement which was published in terms of direction of the Hon'ble High Court in WP.ST 120 of 2018. Mr. Banerjee also argues that the same prayers were earlier filed before the Hon'ble High Court which did not pass any direction. A CAN was also moved before the Hon'ble High Court which only gave liberty to the applicant to

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avail of his remedy in the appropriate forum, in accordance with law, if the law permits.

Mr. Biswas, learned counsel prays for accommodation to file relevant documents in this matter on the next date of hearing. Let the matter appear under the heading "Admission Hearing" on 19th December, 2024.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

HS/Skg.