

ORDER SHEET

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 34 of 2023

Jyotsna Chakraborty & Ors. -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicants	: Mr. A. Chattopadhyay, Mr. S. Dey, Mr. G.P. Banerjee, Ld. Advocates.
<u>01</u> 19.01.2023	For the State respondent Nos. 1 to 6	: Mr. D. Kole, Ld. Advocate.
	For the State respondent No. 7	: Mr. R.K. Mondal, Ld. 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.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

The prayer in this application is for a direction to modify the advertisement No. R/Reader-Lateral GCON/40/2022 dated 28.12.2022. The advertisement was issued for the recruitment in the post of Senior Lecturer and Reader under the Government College of Nursing. As per the eligibility criteria of the advertisement, the applicants have not been found eligible to appear in this Examination. Submission is that this advertisement has not followed the provisions of the West Bengal State General Service (Recruitment and promotion to teaching post in Government Colleges of Nursing), Rules, 2013.

Learned counsel for the State and the Recruitment Board submits that as per the provisions of the advertisement, the applicants have not been found eligible for the post of Senior Lecturer and Reader. However, Mr. Mondal, learned counsel for the State respondent No. 7 prays for accommodation to submit a detailed report.

The learned counsel for the applicant also prays that since the last date for the online registration for this post is on 20.01.2023, therefore, an interim direction may be issued to the respondents to allow the applicants to

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participate.

The State respondents are directed to submit the Reply particularly on the specific issues:-

(i) whether the candidates, though eligible under the RRWBSGS Rules have not been allowed to apply, and

(ii) whether the said advertisement violates the provisions of the Recruitment Rules of the West Bengal State General Service (Recruitment and promotion to teaching post in Government Colleges of Nursing), Rules, 2013.

In view of the fact that the state has been directed to file a Reply, the prayer for interim direction as prayed is not allowed at this stage.

Let the State respondents file their reply by January 31st.

The Recruitment Board has submitted a preliminary report. Let this be kept in record.

Let the matter appear under the heading “**Admission Hearing**” on **03.02.2023**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS