

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble Mrs. Urmita Datta (Sen), Member(J) acting as Officiating Chairperson**

**Case No. – OA-389 of 2022**

**Gopinath Bera & Ors. VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Ms. Mousumi Hazra,  
Learned Advocate..

For the State : Mr. M.N. Roy,  
Respondents Learned Advocate.

05  
31.08.2022

Affidavit of service has been filed. Let it be kept with the record.

The instant application has been filed basically challenging the recruitment process to the post of Excise Constable.

As per applicants, though 900 (nine hundred) vacancies were meant for E.C.(exempted category) candidates for the post of Excise Constable, however, after perusal of the final selection list, it is observed that all the 3000 (three thousand) vacancies were filled up and only 5 (five) candidates from Exempted Category have been found eligible in the said list. Being aggrieved with, they have filed this instant application.

During the course of hearing, the counsel for the applicants has prayed for a direction to keep 9 (nine) posts vacant as an interim measure.

The counsel for the respondent has vehemently opposed the prayer of the applicant and has submitted that the selection process have been duly conducted as per settled principle of law and rules.

The application is admitted.

In view of the above, respondents are directed to file reply by four weeks, rejoinder, if any, may be filed by two weeks thereafter.

**ORDER SHEET**

Form No.

Gopinath Bera & Ors

Vs.

Case No. **OA-389 of 2022**

The State of West Bengal & Ors.

However, any appointment out of the said selection list, would be abide by the outcome of this OA.

Let the matter be listed on **16.11.2022** for Hearing.  
Reply/rejoinder in the meantime.

URMITA DATTA (SEN)  
MEMBER (J)  
Acting as Officiating Chairperson

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