

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

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

**Present-**

**THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,**

**Case No. - OA 424 OF 2023**

**PRAKASH CHAKRABORTY & ANOTHER - Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and Date of order	For the Applicant	:	Mr.Sekhar Mustafi Advocate
<u>07</u> 23.07.2024	For the State Respondents	:	Mr.Soumendra Narayan Ray 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 23<sup>rd</sup> 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.

The applicants have prayed for a direction to the respondent authorities to appoint them in the post of Assistant Operators. Though this application has been filed, but it is not supported by any valid ground. From a close reading of the application, it appears that the applicants furnished representations before the respondent authority praying for their appointments. Copy of one such representation appears in this application which is dated 24.05.2023. The relevant part is as under:

*“Several persons were appointed in the said post. That till date there are large number of vacancies in the post of Assistant Operator. In spite of the fact, we are not appointed.”*

From the submissions of the learned counsel for the applicants and from the above paragraph of the representation, it is clear that the only ground for such direction is that there are vacancies in the post of Assistant Operator, therefore, the applicants should be appointed.

**ORDER SHEET**

Form No.

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The Tribunal is not satisfied that there are sufficient grounds to admit this application. The ground relied on by the applicants is not only invalid, but does not support in admissibility of this application. It is not clear to the Tribunal why the legal counsel for the applicants did not bother about the application being hit by limitation. Mr. Mustafi, learned counsel is advised to be careful and only after satisfaction such application be filed. A plain paper application pertaining to a selection process of 2007 without any valid ground should not have been filed before this Tribunal. This application is dismissed on grounds of inadmissibility.

**(SAYEED AHMED BABA)**  
**OFFICIATING CHAIRPERSON AND MEMBER (A)**

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