

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

The Hon'ble Sayeed Ahmed Baba, Administrative Member

Case No. –OA 435 of 2022

DR. DEBRAJ MAITY – VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	:	Mr. Manujendra Narayan Roy, Advocate
	For the State Respondents	:	Mrs. Subarna Das, Advocate
<u>3</u> 22.07.2022	For the Private Respondent No.6	:	Mr. Biswarup Nandy, Advocate

In this application, Dr. Debraj Maity, the applicant, has prayed for certain reliefs, the relevant portion of which is as under:

“.....6.2 *An order directing the Respondents to reassess the selection process and conduct freshy interview of the candidates for selection for the post of Medical Officers (Ksharsutra) under the supervision of this Hon'ble Tribunal and by an Interview Board, set up by this Hon'ble Tribunal;*

6.3 *An order directing the Respondents to bring before this Hon'ble Tribunal and/or submit all relevant documents with regard to the selection process in question including the marks allotted to the Applicant and Durbadal Majumdar on all heads including in the Interview and upon perusal of the same pass necessary orders;”*

Referring to annexure ‘A8’ of the application, it is submitted by Mr. Manujendra Narayan Roy, learned advocate for the applicant, that as the respondents have not disclosed the break up of the marks obtained by the only selected candidate, that is, the private respondent no.6, appropriate order may be passed on the basis of annexure ‘A8’ to the application.

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On a query it is submitted that the applicant has filed an application seeking certain replies regarding the examination by an application dated 27th May, 2022 before the State Public Information Officer, Secretary and Controller of Examinations, West Bengal Health Recruitment Board under the Right to Information Act, 2005.

Heard Mrs. Subarna Das, learned advocate for the State respondents.

Mr. Biswarup Nandy, learned advocate appearing on behalf of the private respondent submits that annexure 'A8' to the application has been drafted by the applicant on his own and therefore, cannot be relied on. Moreover, since the applicant has filed an application dated 27th May, 2022, seeking answers regarding the marks obtained in the selection process and as there is an effective alternative remedy under the 2005 Act, no order may be passed.

Since the applicant has filed an application dated 27th May, 2022 under Section 6 of the 2005 Act, seeking certain information regarding the academic marks and marks regarding experience obtained by the candidates and as there is effective alternative remedy under Section 19 of the said Act, no order is passed on the application. The application is disposed of.

SCN.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN