

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 436 of 2023

Sutanuka Mukherjee & Another -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicants	: Mr. G.P. Banerjee, Mr. S. Chatterjee, Ld. Advocates.
<u>02</u> 08.08.2023	For the State respondent	: Mr. D. Kole, 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.

The prayer in this application is for a direction to the respondent authority to grant Trainee Reserve to undergo the GNM Course-2022. In this regard, the applicants had submitted applications before the respondent authorities on 02.02.2022 and 27.09.2022. Submission of Mr. Banerjee, learned counsel for the applicants is that despite such representations, the respondent authorities have neither granted nor communicated their decision to the applicants.

Submission of Mr. Banerjee is that the authorities may be directed to consider the applicants' prayer for Trainee Reserve in the light of judgement passed by this Tribunal in OA-44 of 2023 in the matter of Moumita Majhi Vs. State of West Bengal & Ors.

In response to the above submissions, Mr. Kole submits that it will be futile to grant the Trainee Reserve to the applicants at this stage since the classes for the course has already been commenced since December, 2022.

After hearing the submissions of the learned counsels, the Tribunal is of the view that since the applicants had furnished a plain paper application before the Respondent No. 3, Dy. Director of Health Services (Nursing) on 29.09.2022, it is the responsibility of the respondent authorities to have considered such applications furnished by the applicants. Accordingly, the Respondent No. 2, Director of Health Services is directed to consider the application for Trainee Reserve submitted by the applicants before the Dy.

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Director of Health Services (Nursing) on 29.09.2022 in terms of the order passed by this Tribunal in OA-44 of 2023 after considering the eligibility criterias of the applicants as per rule after passing a speaking and reasoned order within three weeks from the date of communication of this order.

Accordingly the application is **disposed of.**

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS