

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 449 of 2022.

MD. RAJIB & ORS – VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

6
15.3.2023

For the Applicants : Mr. A. Salam,
Advocate.
For the State respondents : Mr. R.K. Mondal,
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 counsel for the contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for directing the respondent authority to appoint the applicants to the post of Physiotherapist Grade –III under Health and Family Welfare Department.

Mr. A. Salam, learned counsel for the applicants refers to the panel list in which at serial no. 23 one Prodosh Karmakar scored 74.66 in OBC-A category. According to the learned counsel for the applicant Prodosh Karmakar does not belong to OBC-A category. In response, Mr. R.K. Mondal, learned counsel appearing on behalf of the respondent no. 3 submits a copy in which it is shown that the applicant Md. Rajib scored total 57 out of 100, Md. Janbor Ali scored 60.20 out of 100 and applicant Arun Patronobish scored 58.33 out of 100. This information sheet also reveals that the list of successful candidates under OBC-A category scored 72.95 marks out of 100 and the last successful candidate under UR category scored 77.41 out of 100. Therefore, the three applicants were not successful in over all process of recruitment and thus their names did not appear in the final list.

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-Vs-

Case No. **449 of 2022.**

THE STATE OF WEST BENGAL & ORS.

After hearing the submission of the learned counsels, it is the Tribunal's view that the application praying for a direction to appoint the applicants for the post of Physiotherapist has no merit. Submission of Mr. Salam is that Prodosh Karmakar does not belong to OBC-A category is neither part of his prayer nor supported by any document. The successful candidate Prodosh Karmakar , who is being assailed by the applicant for not belonging to OBC-A has not been made a party in this application.

Therefore, it is the opinion of the Tribunal that the application has no merit and is liable to be dismissed and therefore, it is dismissed and no order is passed.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

Sk.