

**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- 464 of 2022**

**Sri Ajoy Proadhan -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Mrs. M.D. Chowdhury,  
Ld. Advocate.  
For the State Respondents : Mr. G.P. Banerjee,  
Mr. M.N. Roy,  
Ld. Advocates.

09  
25.06.2024

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.

Mrs. Chowdhury files a supplementary application enclosing documents which shows that the applicant has now applied before the Superintendent of Police, Darjeeling for the post of Group-D (Plumber) dated 24.02.2024. However, Mrs. Chowdhury is still holding on to the prayer in the original application in which the applicant had prayed for the post of Police Constable under West Bengal Police. Submission of Mrs. Chowdhury is that the applicant was asked to appear before the Reserve Office, Darjeeling on 19.08.2021 for measurement of his Physical Efficiency Test for the post of Constable. A long time has passed, but the respondent authorities neither offered a post of Constable nor given any intimation to the applicant regarding result of such application.

Mr. Banerjee expresses his displeasure for filing the supplementary by Mrs. Chowdhury and submits that the applicant cannot pray for the post of Group-D through this supplementary while the original prayer for the post of Constable is still alive. Further, before the applicant applied for the post of Constable, he had applied for the post of LDC also. Frequent change of applications for different posts will invalidate his application.

Having heard the submissions of the learned counsels, the Tribunal observes the following :

(i) Against the post of LDC applied by the applicant, the Department has already given its opinion by passing a Reasoned Order dated 21.01.2021 in which it was informed that the applicant is wait-listed no. 28 whereas only one vacancy for such post exists ;

(ii) By a memo. no 1379 dated 23.07.2021, the Superintendent of

Form No.

Case No. **OA-464 of 2022**

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**Vs.**

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Police had stated that since the proposal for the post of LDC is pending due to scarcity of vacancy, willingness was required from the applicant for the post of Constable. Against such notice dated 15.08.2021, the applicant had submitted his willingness and also appeared for the Physical Measurement and Physical Efficiency Test on 19.08.2021 ;

(iii) From the supplementary application filed today, a document dated 21.02.2024 makes it clear that the applicant was advised to appear before the Police Lines on 22.02.2024. Mrs. Chowdhury submits that the applicant had attended and as per advice of the District Police Authorities, he had submitted a fresh application praying for an appointment in the post of Group-D as a Plumber. A copy dated 24.02.2024 of such willingness for the post is enclosed with this application.

Submission of Mrs. Chowdhury is that though the applicant has now prayed for a post of Group-D (Plumber), but his original prayer for the post of Constable still remains alive.

From the above records and submissions, it is clear to the Tribunal that the respondent authorities are processing his applications for the post of both Constable and Group-D (Plumber). Therefore, the Tribunal reserves passing any direction to the respondents at this stage.

Let the matter appear under the heading “**Hearing**” on **04.12.2024**.

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**

CSM/SS