

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- 480 of 2023

Kajal Saha VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	:	Mr. J. Khan, Learned Advocate.
	For the State Respondents	:	Mr. D. Kole, Learned Advocate.
<u>03</u> 08.08.2023			

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 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 applicant had submitted an application before the respondent authorities in September, 2022. Submission of Mr. J. Khan, learned counsel for the applicant is that despite such representation, the respondent authorities have neither granted nor communicated their decision to the applicant.

Submission of Mr. Khan is that the authorities may be directed to consider the applicant's 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 applicant 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 applicant 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 an application furnished by the applicant. Accordingly, the Respondent No. 2, Director of Health Services is directed to consider the application for Trainee Reserve submitted by the applicant before the Dy. 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 applicant 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)

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