

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

HON'BLE JUSTICE SOUMITRA PAL, HON'BLE CHAIRMAN.

Case No. – OA 49 of 2021.

SAGAR RUHIDAS & ANR -VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	: Mr. A. Banerjee, Mrs. S. Das Gupta, Advocates.
<u>2</u> 17.3.2021	For the State Respondents	: Mr. M.N. Roy, Advocate.

The matter is taken up by the single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020 issued in exercise of the powers conferred under sub section (6) of section 5 of the Administrative Tribunals Act, 1985.

In this application Sagar Ruhidas and Bharti Murmu, the applicant nos. 1 and 2 have, inter alia, prayed for a direction upon the respondents for reselection of the candidates for the post of constable under OBC(B) category in Jhargram District and Paschim Medinipur District and to grant appointment to the post of constable under the scheduled caste and scheduled tribe category in the said districts.

Heard Mr. A. Banerjee, learned advocate for the applicants and Mr. M.N. Roy, learned advocate for the State respondents.

It appears that earlier the applicants filed an application being O.A. 766 of 2019 (Sagar Ruhidas and Anr – vs- The State of West Bengal & Ors) which was disposed of on 14th November, 2019. Referring to the said order, it is submitted by Mr. Banerjee, that since the applicants have filed representations both dated 2nd May, 2018, the said representations may be directed to be considered by the authorities.

Mr. M.N. Roy, learned advocate for the State respondents referring to the said order passed on 14th November, 2019 submits that since the issue has been settled by the said order of the Tribunal, no order may be passed.

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Heard learned advocates for the parties.

So far as to the prayer of Mr. Banerjee for liberty being granted by the said order dated 14th November, 2019 with regard to the challenge to the selection process in the written test and interview, I find though the applicants in paragraph 6.8 and 6.9 have alleged that “the pick and choose policy was adopted in giving appointment to other candidates” , as no specific averments and example have been given, no order can be passed on the application. Since a direction for reconsideration of the representations dated 2nd May, 2018 will lead to reopening of the entire issue, no order is passed on the application. The matter is disposed of.

(SOUMITRA PAL)
CHAIRMAN

Sk.