

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 494 of 2024.

SUSMITA MALLIK - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

01
11.11.2024

For the Applicant : Mr. A. Jha,
Learned Advocate.
For the State Respondents : None.

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.

Affidavit of service filed today be kept on record.

By filing this application, the applicant has prayed for a direction to the Respondent authority to include her name in the final seniority list of Grade I(ii) Nursing Officers of WBNS Cadre. The Director of Health Services (Nursing) had published a final seniority list on 07.12.2023 having the names of total 849 employees. The name of the applicant Susmita Mallik does not feature in this list.

Mr. A. Jha, learned counsel appearing on behalf of the petitioner draws my attention to the provisional seniority list of Gr I (II) Nursing Officers of WBNS Cadre published on 02.6.2023 in which the name of the applicant, Susmita Mallik appears at serial No. 474.

It is obvious to the Tribunal that though the name of the applicant is included in the provisional seniority list issued by the Joint Director of Health Services (Nursing) on 02.06.2023, but after six months when it published the final promotional list on 07.12.2023, her name was excluded. The Tribunal also finds that the applicant after finding her name excluded from the final seniority list, furnished a representation on 25.06.2024 before the Joint Director of Health Services along with the relevant documents in support of her claim. It appears that neither her name was included in the final seniority list nor any reason given by the Respondent authorities to her as to the reason why her name was excluded.

The Tribunal directs the Respondent no. 3 – the Joint Director of Health

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THE STATE OF WEST BENGAL & ORS.

Services (Nursing Branch) to file a report before this Tribunal showing the reason why the name of the applicant Susmita Mallik was left out from the final seniority list published on 07.12.2023. Let such report be filed by the next date and the copy be served upon the other side.

The matter is admitted.

Let the matter appear under the heading "For Orders" on 25.02.2025.

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

SkG/SM.