

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 501 of 2020

RAFIK SEIKH & ORS. - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mrs.S.Mitra Advocate
<u>02</u> 03.02.2021	For the Respondents	: Mr.G.P.Banerjee 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.

Affidavit of service filed today be kept on record. Since despite service of notice none appears on behalf of the State respondents, Mr.G.P.Banerjee, learned advocate who normally appears on behalf of the state authorities is requested to appear in this matter. The Legal Remembrancer, West Bengal is directed to regularise the appointment of Mr.Banerjee. Let a copy of the original application be served on Mr.Banerjee, which is served and accepted.

Mrs.S.Mitra, learned advocate for the applicant submits that the matter may be taken up by the single Bench to which Mr.Banerjee, does not object.

In this application, the applicant has prayed for several reliefs, the relevant portion of which is as under:

“ a)A direction do issue upon the concerned respondent authorities, to forthwith issue appointment letter to the applicants herein for the post of “Medical Technologist (Lab)”, Grade-III under Health and Family Welfare Department, Government of West Bengal by issuing appointment letters within a stipulated

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time period.

- a) A direction do issue directing the respondent authorities herein to appoint the applicants for the post of Medical Technologist (Lab) Grade-III as they are having the requisite qualification as per advertisement no. R/MT/Phar/Physio/48/2/2018.
- b) A direction do issue upon the concerned respondent authority to forthwith published result of the applicants in terms of Order passed by the Hon'ble Tribunal in its true letter and sprite.....”

It is submitted on behalf of the applicant that though several reliefs have been sought for however as all the applicants have appeared in the selection process for recruitment to the post of Medical Technologist (Lab) Grade-III as results have not been published, direction may be issued upon the respondents to publish the result and the original application may be disposed of by directing the state respondents to publish the result in respect of the applicants who had participated in the selection process of Medical Technologist (Lab) Grade-III in terms of Court's order.

Mr. Banerjee, submits that, if directed, the respondent authorities will publish the result in accordance with law.

Having heard the learned advocates for the parties and considering the facts and circumstance of the case as it has submitted on behalf of the applicant that they have participated in the selection process for the Medical Technologist (Lab) Grade-III under the Health and Family Welfare Department, Government of West Bengal, as prayed for on behalf of the applicants, the application is disposed of by directing the respondent no. 3 the Secretary and Controller of Examinations, West Bengal Health Recruitment

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Board, Kolkata, the respondent no. 3 to publish the result of the applicants who have participated in the selection process for Medical Technologist (Lab) Grade-III within four weeks from the date of presentation of a copy of this order downloaded from the Internet/website.

Since for circumstances beyond control the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

(SOUMITRA PAL)
CHAIRMAN

BLR