

**ORDER SHEET**  
**WEST BENGAL ADMINISTRATIVE TRIBUNAL**  
Bikash Bhavan, Salt Lake, Kolkata – 700 091.

**Present-**

**THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,**

**Case No. – OA 517 OF 2022**

**DR. SANTANU PANDA - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicant	:	Ms.P.Paul Advocate
<u>06</u> 10.08.2023	For the State respondents	:	Mr.Goutam Pathak Banerjee Advocate
	For the Private respondent No. 5	:	Mr.Sankha Ghosh Mr.B.Nandy Advocate

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.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

On the last date of hearing on 20.02.2023, the following order was recorded in this application by the Tribunal:

“The prayer in this application is for a direction to the respondent to produce the score sheet of the applicant. The applicant also prays for setting aside the selection of private respondent no. 5. It appears that the applicant had filed an R.T.I. application to know his scores. Ms. Paul submits that her RTI application has not been answered till now. Regarding the prayer for deleting the name of private respondent no. 5 from the merit list, the ground for such prayer is that the private respondent Dr. Durbadal Majumder's name has figured in the letter head of “Progressive Doctors Association (Ayurveda)”.

Mr.Ghosh appearing for the private respondent no. 5 submits that it is not understood on what ground his respondent has been added in this application as a party.

I find that the prayers in the application relying on the grounds are very

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vague and not valid. If the Commission had failed to reply to the applicant's RTI application, the applicant can approach the appellate authority as per the RTI Act. So far as the prayer to cancel the name of private respondent, the reason given is not valid."

Today Ms. Paul, files a copy of RTI reply from S.P.I.O., W.B.H.R.B. In the reply, the applicant has been informed that he has scored total of 63.47 in the selection process for the post of Medical Officer (Ksharsutra).

Appearing on behalf of the respondent No. 5, Mr.S.Ghosh, learned counsel submits that the respondent No. 5 Dr. Durbadal Majumder had scored a total of 69.99 during the selection process.

Appearing on behalf of the Recruitment Board, Mr.G.P.Banerjee, submits that since it is clear that the applicant had scored a lesser marks of 63.47 against 69.99 of private respondent No. 5, therefore, the prayer (i) in this application is fulfilled. Further, the applicant has not mentioned any relevant ground as to why the selection of respondent No. 5 should be struck down.

After hearing the submissions of the learned counsels and being satisfied with the fact that the applicant had scored lesser marks than the respondent No. 5, the Tribunal does not find any satisfactory reason and ground to pass any direction upon the respondents.

Therefore, this application is disposed of without any orders.

**(SAYEED AHMED BABA)**  
**OFFICIATING CHAIRPERSON AND MEMBER (A)**

BLR