

ORDER SHEET

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**The Hon'ble Justice Soumitra Pal, Chairman &  
Hon'ble Sayeed Ahmed Baba, Member (A)**

**Case No. - OA 536 of 2021**

*Arif Mondal* - **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mrs. S. Mitra, Advocate.
<u>05</u> 29.06.2022	For the Respondent No.1	: Mr. S.N. Ray, Advocate.
	For the PSC, WB	: Mr. A.L. Basu, Mr. S. Bhattacharjee, Advocates.

In this application, the applicant, belonging to OBC-A and is physically handicapped and who had participated in the selection process for the post of Udyan Palan Projukti Sahayak pursuant to the advertisement published in the year 2019, has prayed for certain reliefs, the relevant portion of which is as under :

*“.....(a) To direct the respondents, their agents, servants, subordinates, employees and/or assignee to published the merit list in respect of OBC, PH (LV) with score and to mention lowest cut of mark in respect of each category.*

*(b) To issue letter of appointment in favour of the petitioner if otherwise Applicant come under the zone of consideration in connection with said recruitment in respect of post of Udyan Palan Projukti Sahayak under the Department of Food Processing Industry and Horticulture, West Bengal.....”*

It is submitted by Mrs. S. Mitra, learned advocate appearing for the applicant since her client had answered 85 questions out of 100 correctly and had qualified for the written examination and appeared in the interview and as the cut off marks in the category of the applicant as PH (LV) was 57.67 whereas the final merit list shows that the cut off marks in respect of PD/(B/LV) was 63.67, appropriate order as prayed for may be passed.

Mr. A. L. Basu, learned advocate appearing on behalf of the Public Service Commission, West Bengal, relying on the annexure at page 20 of the application, submits that in the interview, the marks obtained by the last qualified candidate in PH (LV) category was 56.67 whereas in the final merit list appearing at page 22 of the application, the marks obtained by the last candidate selected under the PD/(B/LV) was 63.67 and as the applicant had secured lesser marks, his name was not appearing in the merit list and accordingly, no

**ORDER SHEET**

Form No.

*Arif Mondal*

Case No. **OA 536 of 2021**

**Vs.**

The State of West Bengal & Ors.

order may be passed. Moreover, out of the twenty vacancies, only one vacancy was earmarked for physically handicapped / low vision candidates and which has been given to the successful candidate who secured 63.67 marks.

Heard Mr. S.N. Ray, learned advocate for the respondent no.1.

Having heard the learned advocates for the parties, since the merit list for the recruitment to the post of Udyan Palan Projukti Sahayak has already been published and the applicant belonging to the [PD/(B/LV) category] secured lesser marks than the last candidate selected in the said category who had secured 63.67 marks, no order is passed on the application. The application is disposed of.

**SAYEED AHMED BABA**  
**MEMBER (A)**

**SOUMITRA PAL**  
**CHAIRMAN**

CSM/SS