

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

& The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –OA-54 of 2022.

Gurudas Hajra. – Versus – The State of West Bengal and Others.

Serial No. and Date of order For the Applicant : Mrs. S. Agarwal, Advocate.

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06.04.2022. For the State Respondents : None.

For the Public Service Commission, West Bengal. : Mr. S. Bhattacharjee, Advocate.

In this application, Gurudas Hajra - the applicant, has prayed for certain reliefs, the relevant portion of which is as under :-

“a) To direct respondents and/or their agents not to give effect of the purported selection process conducted by the West Bengal Public Service Commission for recruitment of Assistant Professor in subject Sanskrit under the Government Colleges and further cancel, quash and set-aside the same.

b) To direct respondents and/or their agents to consider the notice demanding justice as filed by he Learned Advocate of the applicant in accordance with law.”

It appears that the applicant pursuant to the advertisement published by the West Bengal Public Service Commission applied for the post of Assistant Professor (Subject Sanskrit) in general degree colleges in the West Bengal Education Service under the Department of Higher Education, Science and Technology and Bio-Technology, Government of West Bengal wherein it was prescribed that the selection would be made through written examination and screening test. After the applicant had applied for the post he was intimated through his E mail ID, 12 days before the commencement of the

ORDER SHEET

Form No.

Gurudas Hajra.

Case No. **OA-54 of 2022.**

Vs.

The State of West Bengal and Others.

examination that the syllabus as declared earlier was cancelled and the examination will be held under new syllabus. According to the applicant as he did not prepare for the new syllabus, he could not appear in the written examination which was held on 28th April, 2018. It is submitted by Mrs. S. Agarwal, learned advocate for the applicant that as he is a NET qualified candidate and had furnished a letter demanding justice dated 6th May, 2019 before the Chairman and the Secretary, West Bengal Public Service Commission requesting them to allow him to participate in the interview for recruitment of Assistant Professor in Sanskrit, appropriate order may be passed.

Mr. S. Bhattacharjee, learned advocate for the Public Service Commission, West Bengal submits that change of syllabus was intimated to all the candidates, including the applicant, prior to the examination and the applicant on his own chose not to appear in the written examination conducted by the Commission. Submission is as the examinations were conducted in the year 2018 and the recommendation was sent to the authorities on 28th May, 2019, the application may be dismissed.

There is no dispute that the applicant, though informed in advance about the change of syllabus, did not sit in the written examination held on 28th April, 2018 and recommendation by the Commission was sent on 28th May, 2019. We find that the letter dated 6th May, 2019 demanding justice was sent to the Chairman and the Secretary of the Commission. Since the applicant did not participate in the written examination, though he along with others were informed

ORDER SHEET

Form No.

Gurudas Hajra.

Case No. **OA-54 of 2022.**

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about the change of syllabus in advance, and as the applicant has filed this application before the Tribunal on 8th February, 2022 that is after much delay, no order can be passed on the application. The application is dismissed.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN

S.M.

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