

**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 543 OF 2020**

**DR. SOUMYENDU KHATUA - Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and  
Date of order

For the Applicant : Mr.K.Bera  
Advocate

18  
14.12.2023

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 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 counsel, the case is taken up for consideration sitting singly.

Mr.K.Bera, learned counsel files a copy of the judgement - (2020) 20 SCC 209 passed by the Hon'ble Supreme Court of India. In this judgement, learned counsel draws attention to following paragraphs 9, 32, 44, 48, 52, 53, 54 and 58 as relevant in this matter. After referring to the relevant paras in the above judgement, Mr.Bera has submitted that in this recruitment process also the important criterias were subsequently changed which resulted in denying 5 (five) marks for their "clinical and other experiences". This was not only an arbitrary action on part of the respondents, but also no cogent reason was given by them before such action was taken.

Since Mr.S.N.Ray, learned counsel has not appeared today, let this matter be adjourned and be listed under the heading "For Orders" on 23<sup>rd</sup> February, 2024 at 10.00 a.m.

BLR

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