

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 55 OF 2024**

AHAMADULLA ALI KHAN & OTHERS - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	:	Mr. Goutam Pathak Banerjee Ms. Aishwarya Pathak Banerjee Advocates
<u>01</u> 29.02.2024	For the Respondent No.1 Fisheries Department	:	Mr. Sankha Ghosh Advocate
	For the Public Service Commission, West Bengal	:	Mr.Sourav Bhattacharjee Advocate
	For the Respondent No. 3	:	Mrs.Debjani Sengupta Mr.M.Karim Advocates

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 23rd 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.

The applicants in this application have prayed for a direction to the respondent No.1 to consider their individual representations and allow them to participate in the recruitment process to the post of Fishery Field Assistant (FFA). In the advertisement notified by the Public Service Commission, three years Bachelor's Degree in Science with Industrial Fish and Fisheries as a major or vocational subject was the essential qualification for the post of FFA.

Mrs.D.Sengupta, learned counsel appearing on behalf of the Vidyasagar University, the respondent 3 submits that the qualification acquired by the applicants Degree in Aquaculture Management is comparable with the three years Bachelor Degree in Science with Industrial Fish and Fisheries. As submitted, the University had also addressed a letter to the Fisheries

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Department stating the same fact.

Appearing on behalf of the State respondents, Mr.S.Ghosh, learned counsel submits that if a direction is given to the respondent authorities to consider their representations, the same will be considered as per law.

On behalf of the Public Service Commission, Mr.S.Bhattacharjee, learned counsel informs that the last date being 01.11.2023 to apply for such post is already over. Mr.Bhattacharjee also submits that unlike a similar case in which the Tribunal had directed the Fisheries Department to consider their representations which were filed before the last date for filing such application - 01.11.2023, however, in this case, the last date for filing such application is already over.

Having heard the submissions of the learned counsels and considering the facts and circumstances, this application is disposed of by directing the respondent No. 1, the Principal Secretary, Department of Fisheries to consider their individual representations praying for allowing them to participate in the recruitment process for the post of FFA as per rules within a period of eight weeks from the date of communication of this order.

Accordingly, the application is disposed of.

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

BLR