

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 587 of 2023.

DR. TAPAS KUMAR MANDAL - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

For the Applicant : None.

05
19.11.2024.

For the State Respondents : Mr. Sankha Ghosh,
Mrs. S. Bandyopadhyay,
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.

In terms of the direction of this Tribunal in OA 40 of 2022, the West Bengal Health Recruitment Board passed the reasoned order. This reasoned order is being challenged by the applicant in this application. In short, it appears that the applicant participated in the selection process for the post of Homoeopathic Medical Officers advertised by the WBHRB on 20.12.2019. The selection process was on the basis of essential qualification and interview. The applicant had scored 75 marks out of 100, whereas the last successful candidate in the same category the applicant belongs – OBC-B had scored 80 marks out of 100. The contention of the applicant is that though he possessed research experience, but the Board failed to award him 5 marks for it. This contention of the applicant has been responded by the Board stating that during online submission, the applicant failed to mention the fact that he possessed research experience. Although the applicant showed relevant documents pertaining to his experience, but the fact remained that such information was not included as part of his online application. By omitting or forgetting to mention this fact, the applicant could not get additional 5 marks under research experience.

From the observations noted above, it is evident and not in dispute that the applicant as a candidate failed to mention the fact of his experience while

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submitting the online application. This is a mistake made by the applicant which can not be ignored and rectified by awarding him 5 additional marks for experience despite his presenting the experience document at a later stage. The Board while assessing his application was not at fault for not awarding 5 marks to the applicant. The question is not related to whether the applicant has experience or not. As a candidate, it was his obligation to fill up online form properly and mention all the details. The applicant himself is to be blamed and the Tribunal cannot pass any direction upon the respondent authorities to ignore such a mistake and award him 5 additional marks for experience.

Thus finding no merit in this application, it is disposed of without passing any direction to the respondent authorities.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

Sk.