

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present : **HON'BLE JUSTICE SOUMITRA PAL,** **HON'BLE CHAIRMAN &**
HON'BLE SAYEED AHMED BABA, **ADMINISTRATIVE MEMBER.**

Case No. – OA 613 of 2021.

SOVAN MUKHERJEE – VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. S. Ghosh, Advocate.
<u>4</u> 15.2.2022	For the State Respondents	: Mr. G.P. Banerjee, Advocate.

In the application Sovan Mukherjee, the applicant, who had participated in the recruitment process for Medical Technologist (Lab) Grade-III under the Health and Family Welfare Department, Government of West Bengal has prayed for several reliefs, the relevant portion of which is as under :-

“.....a) A direction do issue upon the concerned respondent authorities, to forthwith issue appointment letter to the applicant herein for the post of “Medical Technologist (Lab)”, Grade – III under Health and Family Welfare Department, Government of West Bengal by issuing appointment letters within a stipulated time period.

b) A direction do issue directing the respondent authorities herein to appoint the applicant to the post of Medical Technologist (Lab) Grade-III by allowing full marks for possessing the qualification of M.Sc. MLT as essential qualification as well as marks for experience as per advertisement no. R/MT/Phar/Physio/48/2/2018 within a stipulated time period....”.

There are two issues in the application, one is regarding awarding of 12 marks inspite of having Master degree (Laboratory Technology). So far this issue is concerned, the matter has been decided today in OA 606 of 2021 (Shukdeb Maiti – versus- the Secretary,

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Health and Family Welfare Department, Govt. of West Bengal), wherein no order has been passed. Therefore, no order is passed with regard to this issue.

However, with regard to grant of marks regarding experience, it is submitted by Mr. S. Ghosh, learned advocate for the applicant since the applicant has four years experience in the private institution as evident from paragraph 3(iii) of the application and as one mark was allotted for each year for having experience in the private institution recognised under WBCE rules, 2003, as evident from the reply by the State Public Information Officer, West Bengal Health Recruitment Board, pursuant to an application filed under the Right to Information Act, as evident from annexure "D" to the application, the applicant is entitled to four marks instead of three marks.

Heard Mr. G.P. Banerjee, learned advocate for the State respondents.

Since we find the advertisement postulates grant of one mark for experience in a private institution and from the reply to the Right to Information application, it appears that the applicant has been awarded three marks, the application is disposed of by directing the Secretary and Controller of Examinations, West Bengal Health Recruitment Board, - the respondent no. 3 to review the marks regarding experience of the candidate in the private sector, as it has been stated that the applicant has four years experience in the private institution, and shall pass an order to be communicated to the parties within six weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal.

(SAYEED AHMED BABA)
MEMBER(A)

(SOUMITRA PAL)
CHAIRMAN.

Skg.

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