

ORDER SHEET

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 620 OF 2018

MRINMOY BHATTACHARJEE & ANOTHER - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	: Mr.Goutam Pathak Banerjee Advocates
<u>15</u> 15.02.2022	For the State respondents	: Mrs.Sunita Agarwal Advocate
	For the Public Service Commission West Bengal	: Mr.Sourav Bhattacharjee Advocate

As prayed for by Mr.G.P.Banerjee, learned advocate for the applicant, leave granted to add Public Service Commission, West Bengal, as party respondent by amending the cause title of the original application.

In this application, Mrinmoy Bhattacharjee and Ayam Sk., the applicants, who had participated in the Part – I and Part – II examination in the Lower Division Assistant / Lower Division Clerk Recruitment Examination, 2015 – 2016 have prayed for certain reliefs, the relevant portion of which is as under :

“ a) A direction do issue upon the concerned respondent authorities to forthwith publish the list of all candidates, including the applicants herein, appeared in the Part - I and Part - II examinations in connection with the Lower Division Assistant / Lower Division Clerk Recruitment Examination, 2015 – 2016 along with their individual marks so obtained in both the two parts of the said examinations after setting aside the impugned list dated 14.05.2018 of some candidates so published by the Public Service Commission, West Bengal void of any marks therein, being Annexure “A” herein, whereafter to publish the Final Merit List on the basis of the aggregate of the said two examinations and to command them to act strictly in accordance with law;”

Mr.G.P.Banerjee, learned advocate for the applicant submits that the

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respondents may be directed to publish the Part – I and Part – II marks for the examination concerned along with the final merit list.

Mr.S.Bhattacharjee, learned advocate for the Public Service Commission, West Bengal, submits that the Part – I and Part – II examinations were conducted by the West Bengal Staff Selection Commission. After the Staff Selection Commission was wound up in September, 2017, the Public Service Commission, West Bengal had conducted the document verification and type test and had published the result and as therefore some of the records are not available, it may be difficult to publish the result.

Mrs.S.Agarwal, learned advocate appearing on behalf of the State respondents submits that since the entire selection process was conducted by the West Bengal Staff Selection Commission and West Bengal Public Service Commission, the State respondents have no role to play in the selection process.

Having heard learned advocate for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Secretary, Public Service Commission, West Bengal, the respondent no. 3 to publish the results of Part- I and Part- II examinations along with breakup of marks in connection with Lower Division Assistant/ Lower Division Clerk Recruitment Examination 2015 – 2016 and the final merit list with breakup of marks in the website of Public Service Commission, West Bengal, within four weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal.

BLR

(SAYEED AHMED BABA)
MEMBER(A)

(SOUMITRA PAL)
CHAIRMAN