

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**The Hon'ble Justice Soumitra Pal, Chairman &
Hon'ble Sayeed Ahmed Baba, Member (A)**

Case No. - OA 63 of 2015

Joydeb Kumar Halder & 7 Others - **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicants	: Mr. M. Karim, Mr. D.C. Mondal, Advocates.
<u>32</u> 16.03.2022	For the State Respondent	: Mrs. S. Agarwal, Advocate.

In this application, Joydeb Kumar Halder and seven Others, the applicants who had participated in the selection process for the post of Group-D under Irrigation and Waterways Department, Government of West Bengal under the exempted category, have prayed for certain reliefs, the relevant portion of which is as under :

“..... a) Declaration that the applicants are lawful candidates as such they are entitled to enlist the name of the applicants for the post of Group ‘D’ under Irrigation and Waterways Department (Eastern Circle), Govt. of West Bengal as an exempted categories.

b) Direction be given to the concerned Respondent No. 1 & 2 to follow the statutory guideline for reservation including 100 point Roster as well as judgement of the Hon'ble Supreme Court.

c) Direction be given to the concerned authority being the Respondent Nos. 1 & 2 to issue appointment letter in favour of the applicants in view of Govt. order as well as Judgement of the Supreme Court and also by considering the representation dated 02.07.2014 as mentioned in annexure ‘I’ to this application.

d) Leave may be granted to file and move the instant application jointly because the applicants are similarly circumstances.”

Heard Mr. M. Karim, learned advocate for the applicant and Mrs. S. Agarwal, learned advocate for the State respondents. It appears that the matters regarding these appointments were finally decided by the Supreme Court and by order dated 20th February, 2015 passed in Contempt Petition(C) Nos. 462-463 of 2013 in Civil Appeal Nos. 6748-6749 of 2013 – Buddhadeb Ruidas & Ors. etc. etc. vs. Dhiman Mukherjee & Ors, a direction was issued, the relevant portion of which is as under :

ORDER SHEET

Form No.

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“.....4) Learned counsel for the petitioners submits that the respondents are yet to issue appropriate communication/letter to those candidates who could not be issued letter of appointments.

5) We take on record the compliance affidavit filed on behalf of the respondents, dated 11.02.2015. Having gone through the said affidavit, we are of the considered opinion that the respondents have substantially complied with the orders and directions issued by this Court, dated 13.08.2013. In that view of the matter, we drop the contempt proceedings against the respondents. Accordingly, the contempt petitions are disposed of.

6) However, we direct the respondents-herein to issue appropriate communications/letters to those candidates/petitioners who could not be issued letters of appointment, as early as possible within 45 days from today.

7) If for any reason, any candidate/petitioner is aggrieved by the said communication/letter, he is at liberty to approach the appropriate forum for appropriate relief in accordance with law.”

From a perusal of the petition and keeping the order of Supreme Court in mind, we find that in the application the learned advocates for the applicants have not been able to show that the applicants are successful candidates and they have not been issued with letters of appointment. Moreover, in the application, there are no grounds at all in support of the submission. Therefore, no order is passed on the application. The application is disposed of.

**SAYEED AHMED BABA
MEMBER (A)**

**SOUMITRA PAL
CHAIRMAN**

CSM/SS