

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- 650 of 2023

Nitish Kumar - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant

:

Mr. S.N. Ray,
Learned Advocate.

03

04.09.2024.

For the State Respondents

Mr. S.K. Mondal,
Learned Advocate.

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.

The facts of this case in brief is that the applicant was provisionally selected for the post of Constable under West Bengal Police through a recruitment process conducted by the West Bengal Police Recruitment Board in the year 2015. However, before he could join such a post, an order was passed by the Dy. Inspector General of Police (H.Q) on 17.05.2023, cancelling such provisional appointment in terms of G.O. No. 1835-PS dated 04.08.1977.

From the submission of Mr. Mondal, it is understood that the applicant, though involved in a criminal case, had suppressed this fact while filling up the P.V.R. details. As is evident from a copy of the order passed by the Learned District and Sessions Judge IV, Buxar, Bihar, the name of the applicant appears in a criminal appeal of 24/2019. By a correspondence from the Police Superintendent, Buxar dated 19.04.2022, it is apparent that the Learned Court had acquitted the applicant of the charges framed against him. Having been acquitted, now the applicant furnished a representation dated 13.07.2023 before the D.I.G., H.Q, Bhabani Bhawan stating the fact that he has been acquitted, hence no criminal case now exists against him. Therefore, his provisional selection earlier cancelled may be re-considered.

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Form No.

Nitish Kumar

Vs.

Case No **OA- 650 of 2023**

THE STATE OF WEST BENGAL & OTHERS.

Mr. Mondal who has appeared today on behalf of the state respondents has been advised to file a reply on behalf of the state respondents. Let such reply be filed and copy be served and let the matter appear under the heading '**For Orders**' on **18.02.2025**.

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

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