

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 652 OF 2022

INDRAJIT MUKHERJEE - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr. I. Bhattacharjee, Advocate
	For the Respondents	:	None
<u>3</u> 05.03.2024	For the P.S.C., West Bengal	:	Mr. Saurav Bhattacharjee, 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.

On consent of the learned counsels for the parties, the case is taken up for consideration sitting singly.

Heard in part submissions of the learned counsels.

From the submissions of the learned counsels and the records in this application, the following pertinent points have emerged.

- (i) The name of the applicant was not recommended since his aggregate marks of 341 was well below the cut-off marks of 380 for the UR (PH) category to which the applicant belongs.
- (ii) From a reply given by the Commission to the counsel of the applicant, it appears that this applicant being a Physically Handicapped (locomotor disability/cerebral palsy) was not considered for such recommendation for the reason that the two posts were reserved for candidates belonging to Physically Handicapped (Hearing Impaired). As per this reply and due to this reason the applicant was marked as “non-listed” in the final merit list.
- (iii) In the advertisement, 2 posts are shown as reserved for “PH”

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candidates. It does not, however, mention that these two posts were reserved only for PH(HI).

Mr. S. Bhattacharjee, learned counsel has been advised to present before this Tribunal a copy of the resolution of the Commission whereby the cut-off marks were fixed for different categories of candidates.

Let such copy of the resolution be presented on the next date and let the matter appear under the heading "Further Hearing" as a specially fixed matter on 18.07.2024 at 10:30 AM.

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

SCN.

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