

ORDER SHEET

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)**

**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,  
Ld. Advocate.

For the State Respondents : None.

04  
18.07.2024

For the PSC, WB : Mr. Sourav Bhattacharjee,  
Ld. 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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

In terms of a direction of this Tribunal, Mr. Bhattacharjee, learned counsel presents a copy of the Resolution of the Commission held in its meeting on 15.02.2017. In the minutes, appearing at para 2(b), the Commission seems to have decided to fix 38% as the cut-off marks for OBC candidates. Attention is also drawn to Annexure-R of the reply of the Commission which appears to be Minutes of the meeting held on 01.02.2012.. In this meeting, the Commission has decided to treat the candidates belonging to PD under UR category at par with the candidates belonging to BC category. Argument of Mr. Bhattacharjee is that by dint of these two Resolutions, this applicant belonging to UR PD category has been treated at par with candidates of BC category so far the cut-off marks is concerned. Since by such formula, the PD candidates belonging to UR category were required to obtain 38% marks which becomes 380 out of 1000, this applicant's aggregate being 341 could not be considered for recommendation.

Having received a copy of the Commission's proceedings dated 15.02.2017 today, Mr. I Bhattacharjee, learned counsel wishes to examine the same and present his submission by way of an affidavit as exception to the Resolution on the next date of hearing.

Let the matter appear under the heading "**Further Hearing**" on  
**19.12.2024**

CSM/SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**