

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 655 of 2024

Dr. Sabina Rafique - Vs - The State of West Bengal & Ors.

Serial No. and  
Date of order

02  
04.03.2025

For the Applicant : Mr. S. Roy,  
Learned Advocate.

For the State : Mrs. Sonali Mitra,  
Respondents 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.

Mr. G.P. Banerjee, learned counsel has opposed maintainability of this prayer in this application before this Tribunal on the ground that the appointment letter issued to the private respondent 5, Dr. Saroj Ghosh is not for a Civil post. The State Programme Management Unit (SPMU) under West Bengal AAYUSH Samity had engaged the private respondent as a Consultant NAM (Homeopathy). Such engagement by the Samity is being assailed by the applicant before this Tribunal. Submission of Mr. Banerjee is that SPMU under AAYUSH Samity is neither a Govt. entity nor such a post of Consultant engaged by it, is a civil post. Therefore, such matters are not the determination of this Tribunal. The applicant being a private person had participated in the recruitment process for the said post but was not successful. Being unsuccessful, she has challenged the engagement of the private respondent.

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Form No.

**Dr. Sabina Rafique**

Vs.

Case No **OA 655 of 2024**

**THE STATE OF WEST BENGAL & OTHERS.**

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Mr. S. Roy, learned counsel prays for adjournment of this matter.

Let the matter appear under the heading '**For Orders**'  
**on 07.05.2025.**

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

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