

**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 664 OF 2023**

**MST. LAILA FATEMA ZOHRA - Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and  
Date of order

For the Applicant : Ms.Anita Shaw  
Advocate

02  
07.12.2023

For the State Respondents : Mr.Goutam Pathak Banerjee  
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.

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

The prayer in this application is for directing the respondent to award additional 5 marks in favour of the applicant against her experience as House Staff. Attention is drawn to the advertisement earlier published by the West Bengal Health Recruitment Board for the post of Medical Officer (General Duty) which was published on 02.12.2022. Appearing at page 18 of the advertisement at (ii) - Marking Criteria for Experience, it is stated that as House staff having minimum 6 months experience, a candidate would be allotted 5 marks. Submission of Mrs. Shaw is that though the applicant has such an experience certificate, appearing at page 24, but 5 marks was not allotted to her. She also draws attention to a reply of the respondent authority in a RTI application in which her experience marks has been shown as 0.00.

Appearing on behalf of the State respondents, Mr.G.P.Banerjee, learned counsel submits that such certificate was not uploaded online and on time by the candidate. Therefore, allotting 5 (five) marks for such experience based on the certificate submitted does not arise. The

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candidate belonging to OBC- (A) category had obtained an aggregate marks of only 53.64 whereas the last candidate in the same category had scored 54.86 marks.

From the submissions of the learned counsels above, the Tribunal finds it necessary for the respondent authority to submit a reply mentioning that such a certificate was not uploaded on time by the applicant. Let the proof of such non submission of the certificate of the applicant on time be filed along with a report by the next date.

Let the matter appear under the heading “Reply, rejoinder and Further Hearing” on 25<sup>th</sup> March, 2024.

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

BLR