

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 738 of 2023

Parna Datta & Ors. - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

02
05.03.2024

For the Applicant : Ms. M. Das,
Learned Advocate.

For the State Respondents Mr. S.N. Ray,
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.

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 a direction to the respondent authorities to fill up the vacant post of 83 GNM (Female) from the panel of unsuccessful candidates. It appears from the application that these applications were successful in the selection process for the post of G.N.M (Female). However, they have come to learn that a total of 83 posts reserved for Physically Handicapped candidates are vacant due to non availability of such candidates. Hence, the prayer is for letting these unsuccessful candidates, the applicants fill up these vacant posts after conversion into UR category. For further submission in support of the relevant rules, Ms. Das prays for adjournment today.

Mr. Ray, learned counsel appearing on behalf of the state respondents has submitted that the applicants have not presented the facts properly. For instance, the applicants have not substantiated the fact that there are so many vacancies reserved for the Physically Handicapped candidates. However, the applicants being unsuccessful

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candidates in the selection process can not claim to be allowed to fill up these vacant posts, even if they are all along vacant as the existing rules do not permit.

Let the matter appear under the heading Admission Hearing on **30.07.2024.**

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

SC