

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present : **HON'BLE JUSTICE SOUMITRA PAL, HON'BLE CHAIRMAN &**
HON'BLE SAYEED AHMED BABA, ADMINISTRATIVE MEMBER.

Case No. – OA 802 of 2021.

PINTU PAUL -VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

For the Applicant : Mr. M.N. Roy,
Mr. A. Mitra,
Mr. S. Ghosh,
Advocates.

6
13.6.2022

For the State respondents : Mr. G.P. Banerjee,
Advocate.

In this application Pintu Paul, the applicant has prayed for a direction upon the State respondents to issue appointment letter in his favour for the post of Warder/Female Warder under the Directorate of Correctional Services, Government of West Bengal, 2019 in the reserved category (OBC-B, Male) as the applicant was successful in the selection process.

Heard Mr. S. Ghosh, learned advocate for the applicant appearing along with Mr. A. Mitra, learned advocate and Mr. G.P. Banerjee, learned advocate for the State respondents.

It appears that the candidature of the applicant was rejected for acquiring computer literacy after publication of the advertisement in respect of the post concerned. The matter was admitted and directions were issued for filing reply and rejoinder. It has been stated in the reply that the applicant has submitted a self signature copy of computer literacy certificate, which was issued on 1st June, 2019 after closing of window for submission of application regarding the recruitment.

It has also been stated in the said reply that the candidature of the applicant was rejected for securing computer literacy after publication of advertisement as acquisition of computer literacy is one of the essential qualifications for the aforesaid post as per recruitment rules. Relying on the reply, it was emphasised on behalf of the State authorities that during the selection process the applicant submitted a certificate issued by Mahatma

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Gandhi Rashtriya Computer Saksharta Mission in which it has been mentioned that the result was declared on 1st June, 2019, which we find was after the closing the date for receiving the application. Therefore, in our view, the authorities were justified in rejecting the application of the applicant.

There is another aspect of the matter. Pages 36 and 37 of the Original Application showing the statements of marks of the applicant is regarding first semester and second semester. However, we find that the subjects in the first and final semester are similar. The marks in the first and in the second semester both in theory and practical are similar. However, surprisingly, he has secured 74.16 percentage of marks in the first semester and in the second semester he has secured 76.25 in aggregate. In the statement of marks in the first semester, the signature of Controller is missing. Even the registration number in the first and in the second semester are different. Therefore, we cannot accept the prayer of the applicant. No order is passed on the application. The application is disposed of.

(SAYEED AHMED BABA)
MEMBER(A)

(SOUMITRA PAL)
CHAIRMAN.

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