

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

The Hon'ble Sayeed Ahmed Baba, Administrative Member

Case No. - OA 829 of 2021

SAKILUR RAHMAN - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

5
11.05.2022

For the Applicant

: Mr. Arindam Chattopadhyay,
Advocate

For the Respondents

: Mr. Manujendra Narayan Roy,
Advocate

In this application, Sakilur Rahman, the applicant, has prayed for several reliefs, the relevant portion of which is as under:

“(a) An order the respondents authority to issue appointment letter to the applicant after considering the 2nd Verification Roll submitted by the applicant on 04.07.2021 to the Superintend of Police, Birbhum for the post of Constable (Male) in West Bengal Police, as the applicant has been selected candidate of Birbhum District for the post of Constable in West Bengal Police vide Sl No.68 without any further delay;

(b) An order calling upon the Respondents authority to produce certify and transmit the records relating to this case before this Hon'ble Tribunal at the time of hearing so that conscionable justices may issuing appointment letter to the applicant for the post of Constable (Male) in West Bengal

Form No.

Vs.

THE STATE OF WEST BENGAL & ORS.

Case No. **OA 829 of 2021**

Police;”

It appears that the applicant had applied for the post of Constable (Male) in West Bengal Police in 2018 and after being successful, he had submitted the verification roll on 7th October, 2019 before the Superintendent of Police, Birbhum, the respondent no.6. As has been stated, he did not fill up column 13 regarding pendency of criminal case, which was initially pending before the court of law against the applicant.

We find that one criminal case, being Nalhati PS case No.317/2012 dated 26th September, 2017, was pending before the learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum. The proceedings culminated in delivery of judgement on 5th April, 2021 wherein the applicant was found not guilty and was discharged on bail. Thereafter, the applicant filed the second verification roll and had stated about his acquittal.

It is submitted by Mr. Arindam Chattopadhyay, learned advocate for the applicant since the matter is pending before the authorities, appropriate direction may be issued for appointing the applicant in the post of Constable (Male) in the West Bengal Police.

Mr. Manujendra Narayan Ray, learned advocate appearing on behalf of the State respondents submits that steps have been taken for appointment of the applicant as Constable (Male). At present the matter is pending before the Assistant Secretary, Government of West Bengal, Home & Hill Affairs Department, Internal Security Branch, Secret Cell. As soon as clearance is given by the said section, appointment will be given in accordance with law and on compliance of all formalities.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the

ORDER SHEET

SAKILUR RAHMAN

Form No.

Vs.

THE STATE OF WEST BENGAL & ORS.

Case No. **OA 829 of 2021**

SCN.

Principal Secretary, now redesignated as the Additional Chief Secretary, Home and Hill Affairs Department, Government of West Bengal, Howrah, the respondent no.2, to dispose of the matter regarding appointment of the applicant as Constable (Male) within a period of twelve weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal, by passing a reasoned order to be communicated to the parties.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN