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 853 of 2021. SOUMEN JANA AND OTHERS – VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order

For the Applicants

: Mr. D. Chatterjee,

Ms. R. Ghosh,

Ms. S. Mitra, Advocates.

2 1.2.2022

For the Public Service

Commission, West Bengal : Mr. S. Bhattacharjee,

Advocate.

Let affidavit of service filed today be kept on record.

Mr. D. Chatterjee, learned advocate for the applicants submits that the selection process for the post of Clerkship Examination, 2019 lacks transparency as the number of vacant posts were not advertised. Moreover, the marks of Part-I (Objective type) and Part-II (Conventional type) examination have not been segregated as evident from annexure "M" to the application and aggregate marks have been shown. Prayer is to publish the break up of aggregate marks. On a query, it is submitted that the applicants herein are yet to be issued with the admit cards for the test of computer operation and ability of typing as inspite of being qualified in Part-II examination they have not been called for verification.

Mr. S. Bhattacharjee, learned advocate appearing on behalf of the Public Service Commission, West Bengal submits that the advertisement was issued in the year 2019 and after participating in Part-I and Part-II of the selection process, the question regarding non-disclosure of number of vacancies cannot be raised at this stage. Referring to page 295 of the Original Application, it is submitted that there are 7227 vacancies for which the examinations have been held. Further the applicants are well aware of their break up of marks which is

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evident from a perusal of the aggregate marks in annexure "M" of the application. Therefore, segregation of marks in Part-I and Part-II is not relevant.

Let the matter appear under the heading "Admission Hearing" on 8th February, 2022 to enable Mr. Bhattacharjee to take instruction regarding segregation of marks in Part-I and Part-II of the examination. Prima facie, since we find the advertisement was issued in 2019 and though it does not contain the number of vacancies, as the applicants had participated in the recruitment process and as it appears from the notice dated 30th September, 2021 that there are 7227 vacancies, the question regarding number of vacancies cannot be raised at this stage. The question of maintainability of the application raised by Mr. Bhattacharjee, regarding seeking leave to file single application, is kept open.

(SAYEED AHMED BABA) MEMBER(A)

(SOUMITRA PAL) CHAIRMAN.

Skg.