

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

HON'BLE JUSTICE SOUMITRA PAL, HON'BLE CHAIRMAN.

Case No. – OA 897 of 2016.

ANANDA ROY & OTHERS - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	: Mr. G.P. Banerjee, Advocate.
	For the State Respondent	: Mr. S. Ghosh, Advocate.
<u>18</u> 31.3.2021		

The matter is taken up by the single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020 issued in exercise of the powers conferred under sub section (6) of section 5 of the Administrative Tribunals Act, 1985.

In this application Ananda Roy, Debasis Hazra, Tapati Mondal, Naba Kumar Pramanik and Ratna Sardar have prayed for several reliefs, the relevant portion of which is as under :-

“(a)....An order do issue directing the concerned respondent authorities particularly the respondent no. 2 to furnish the information sought for by the your applicants themselves and the Learned Advocate on behalf of the applicants dated 25.01.2016, 10.03.2016 and 27.07.2016 in respect of appointment to the posts of West Bengal Fire and Emergency Services in view of interview dated 01.06.2008.

(b) An order do issue directing the concerned respondent authorities to consider the representation dated 09.05.2016 which was duly received by the respondent no. 2 as early as possible....”.

It appears that the directions were issued for filing of reply and rejoinder. Reply has been filed on behalf of the State respondents and is on record.

It is submitted by Mr. G.P. Banerjee, learned advocate for the applicants that since there were anomalies in the selection process for the Group-C post under the Directorate of West Bengal Fire and Emergency Services and as certain replies, as sought for under the Right

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to Information Act, 2005 were not granted, this application has been filed.

Mr. S. Ghosh, learned advocate for the State respondents relying on the reply, particularly paragraphs 4 and 5 thereof, submits that as it is evident that the applicants did not secure the necessary marks and did not come within the zone of consideration for appointment, the original application is without merit.

Heard learned advocates for the parties.

I find that the original application has been filed without much emphasis on facts. Rather the statements made in paragraph 6(i) to 6(x) and from paragraphs 6(xi) to 6(xxv) of the original application have been categorically dealt with in paragraphs 4 and 5 of the reply by the State respondents clearly demonstrating that as the applicants did not secure necessary marks, they did not come within the zone of consideration. The facts stated in the reply have not been controverted by the applicants by not filing rejoinder. Therefore, no order can be passed on the application. The application is disposed of.

(SOUMITRA PAL)
CHAIRMAN

Skg.