

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 923 of 2019.

ARUNAVA GHORAI - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. G. Halder, Learned Advocate.
	For the State Respondent	: Mr. G.P. Banerjee, Learned Advocate.
<u>7</u> 08.3.2021		

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.

The matter has appeared under the heading "Hearing". It is submitted by Mr. G. Halder, learned advocate for the applicant that the matter may be taken up for hearing to which Mr. G.P. Banerjee, learned advocate for the State respondents does not oppose.

Though direction was issued upon the State respondents to file reply, no reply has been filed.

In the application Arunava Ghorai, the applicant, has prayed for several reliefs, the relevant portion of which is as under :-

"...An order do issue thereby directing the respondent authorities to issue appointment letter in favour of the applicant for the post of "Medical Technologist" X-Ray (Radio-diagnosis), Grade-III after condoning the age and further reevaluating the marks as per the Advertisement No. R/MT/Phar/Physio/48/1/2018 within a stipulated time period..."

It is submitted by Mr. Halder, learned advocate for the applicant that though pursuant to an application under the Right to Information Act, 2005, the applicant by letter dated 13th September, 2019 has been informed that the last selected candidate to the post of Medical Technologist (X-Ray), Grade III has secured 59.8 marks and

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the applicant has secured 56.7, however, on calculating the distribution pattern of marks of the applicant as it appears that he has secured 61.7 marks, prayer is direction may be issued upon the respondents, particularly on the Secretary and Controller of Examinations, West Bengal Health Recruitment Board, the respondent no. 3 to recalculate the marks.

Mr. Banerjee, learned advocate for the State respondents submits if directed, the said respondent shall recalculate the marks in accordance with law.

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 Secretary and Controller of Examinations, West Bengal Health Recruitment Board, the respondent no. 3, to recalculate the marks obtained by the applicant as reflected from the intimation dated 13th September, 2019 issued by the State Public Information Officer, West Bengal Health Recruitment Board, appearing at pages 43 and 44 of the application, within four weeks from the date of presentation of a copy of this order downloaded from the internet/website. If it is found that the contention of the application is correct, he shall pass appropriate order for recommending the name of the applicant for the post of Medical Technologist (X-Ray), Grade III to the appropriate authorities.

Skg.

(SOUMITRA PAL)
CHAIRMAN