

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**HON'BLE JUSTICE SOUMITRA PAL,
HON'BLE SAYEED AHMED BABA,**

**HON'BLE CHAIRMAN &
ADMINISTRATIVE MEMBER.**

Case No. – OA 938 of 2019.

FARUK ABDULLA & ANOTHER -VS-THE STATE OF WEST BENGAL& ORS.

Serial No. and
Date of order

For the Applicants : Mr. M.N. Roy,
Mr. G. Halder,
Advocates.

8
06.12.2021.

For the State Respondents : Mr. G.P. Banerjee,
Advocate.
For the Respondent No.2 : Mr. A. De,
Departmental representative.
For the P.S.C.W.B. : Mr. S. Bhattacharjee,
Advocate.

Since issues are similar, OA 868 of 2019 and OA 938 of 2019 which are appearing in the list today are taken up for hearing analogously and disposed by a common order.

The matter had appeared on several dates. On 17th November, 2021 Mr. S. Bhattacharjee, learned advocate for the Public Service Commission, West Bengal had furnished a report in a sealed cover and prayed that it be perused. It is an “Exam Committee Report on four withheld result of WBCS (EXE) etc. Examination, 2017 Group ‘C’ Services and posts” wherefrom it appears that result of the applicants have been withheld and final decision is to be taken after taking an opinion from a senior legal Counsel.

The Court allowed the report to be perused by Mr. M.N. Roy, learned advocate for the applicants.

Heard the respective parties.

It appears that the members of the Committee had felt that a legal opinion should be obtained from a Senior Counsel in the matter before final decision is taken by the Commission.

In view of the said observation, the applications being OA 868

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of 2019 and OA 938 of 2019 are disposed of by directing the Secretary, Public Service Commission, West Bengal, - the respondent no. 3 to take “final decision” within eight weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal which includes obtaining legal opinion from the senior Counsel in the matter. Till final decision is taken and communicated by the Commission to the applicants, let status quo as regards appointment to the posts concerned be maintained.

Let the report be resealed and be kept along with the records.

(SAYEED AHMED BABA)
MEMBER (A).

(SOUMITRA PAL)
CHAIRMAN.

Skg.