

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 942 of 2021.

Sohini Dasgupta and Others. – Versus – The State of West Bengal and Others.

Serial No. and Date of order	For the Applicants	:	Mr. G. P. Banerjee, Mr. A. Mitra, Mrs. S. Das, Advocates.
<u>07</u> 26.08.2022.	For the State Respondents	:	Mrs. S. Bandyopadhyay, Advocate.

In the original application, the applicants have prayed for certain reliefs, the relevant portion of which is as under :-

“a) An order do issue declaring the respondent authorities to amend the Recruitment Rule for the post of “Medical Technologist” under the Health & Family Welfare Department, Government of West Bengal promulgated in exercise of the proviso to Article 309 of the Constitution of India in the year 2017 by incorporating M.Sc. Degree in Bio-Medical Laboratory Science and Management (BMLSM) and M.Sc. in Medical Laboratory Technology (MLT) as equivalent to the basic qualification of B.Sc. and to publish amended recruitment rules within a stipulated time period.

b) An order do issue directing the respondent authorities to treat M.Sc. in Medical Laboratory Technology (MLT) as equivalent to the basic qualification of B.Sc. and allot marks accordingly in the forthcoming selection process for the post of “Medical Technologist” under them.

c) An order do issue do issue thereby directing the respondent authorities to allow your applicants to get themselves registered / enrolled under the West Bengal Allied Medical & Para Medical Council as they have completed Post-graduation in the discipline concern, within a stipulated time period.”

Form No.

Sohini Dasgupta and Others.

Case No. **OA-942 of 2021.**

Vs.

The State of West Bengal & Others.

The matter was admitted on 25th January, 2022 when directions were issued for filing reply and rejoinder. Mr. G. P. Banerjee, learned advocate appearing on behalf of the applicants submits since till date no reply has been filed by the State respondents, direction may be issued upon the respondents to consider the representation dated 27th September, 2021 for treating M.Sc. Degree in Bio-Medical Laboratory Science and Management (BMLSM) and M.Sc. in Medical Laboratory Technology (MLT) as equivalent to the basic qualification of B.Sc., being annexure 'F' to the application in the light of communication dated 31st January, 2017 issued by the Assistant Secretary, Department of Health and Family Welfare, GA Branch, Government of West Bengal. Let a copy of the said communication dated 31st January, 2017 filed be kept on record.

Mrs. S. Bandyopadhyay, learned advocate appearing on behalf of the State respondents submits that the reply drafted has been sent to the authorities for approval and therefore, time to file reply may be extended further.

Mr. Banerjee opposes the said prayer for extension of time as according to him as evident from the order dated 7th April, 2022 as last chance time to file reply was extended till 19th May, 2022 and again on 19th May, 2022 as a special last chance time to file reply was extended till 15th June, 2022.

As even after extensions no reply has been filed on behalf of the State respondents, as prayed for on behalf of the applicants, the application is disposed of by directing the Secretary, Department of Health and Family Welfare, Government of West Bengal – the respondent no. 1 to dispose of the representation dated 27th September, 2021, being annexure 'F' to the application by giving a reply to the

ORDER SHEET

Form No.

Sohini Dasgupta and Others.

Case No. **OA-942 of 2021.**

Vs.

The State of West Bengal & Others.

same to the applicant no. 1 within eight weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal, after considering the communication dated 31st January, 2017 issued by the Assistant Secretary, Department of Health and Family Welfare, GA Branch, Government of West Bengal.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN

S.M.