

ORDER SHEET

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-779 Of 2021.

Gobinda Biswas and Others. - VERSUS – The State of West Bengal and Others.

Serial No. and Date of order	For the Applicants	: Mr. G. P. Banerjee, Advocate.
<u>1</u> 17.11.2021.	For the State Respondents	: Mr. M. N. Roy, Advocate.

Let affidavit of service filed today be kept on record.

Though the matter has appeared under the heading “To Be Mentioned”, considering the order dated 3rd November, 2021 passed in W.P.S.T. No. 93 of 2021: Gobinda Biswas and Others -Versus – The State of West Bengal and Others, the matter is taken up for hearing. In view of the said order the case of Md. Samim Haque, the applicant no. 5 is not taken up for consideration.

So far as the candidature of Md. Sanuwar Hossain, the applicant no. 3 is concerned, it is submitted that since the applicant is not a trained Civil Defence Volunteer and has not completed the Civil Defence foundation training under the Civil Defence Organization, which is one of the eligibility criteria in the advertisement and as the reply of Mr. G. P. Banerjee, learned advocate for the applicants does not seem to be convincing, no order is passed with regard to the said applicant.

So far as Avishek Patra, the applicant no. 2 is concerned, relying on the order dated 24th September, 2021 passed in OA-691 of 2021 : Amaresh Roy -Vs- The State of West Bengal and Others, it is submitted since the Tribunal has passed an order relying on the

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judgment in W.P.S.T. No. 12 of 2016 : Sraboni Saha –Vs- The State of West Bengal and Others delivered on 17th February, 2016, the interim order may be passed to enable the applicant to appear in the selection process which is going to be held today and tomorrow, that is, 17th November, 2021 and 18th November, 2021.

Mr. M. N. Roy, learned advocate appearing on behalf of the State respondents relying on the order in Sraboni Saha (supra) submits the applicant has not produced any document or certificate with regard to the training of Civil Defence Volunteers and completion of the Civil Defence foundation training under the Civil Defence Organization, which is one of the eligibility criteria.

With regard to the candidature of Avishek Patra, the applicant no. 2, considering the facts and circumstances of the case and submissions, let there be an interim order directing the Member Secretary, West Bengal Police Recruitment Board, Government of West Bengal, – the respondent no. 4, to allow the applicant no. 2 to appear in the Physical Measurement Test and Physical Efficiency Test for the post of Agragami in the West Bengal Civil Emergency Force (WBCEF) and Agragami in Water Wing Civil Defence (WWCD), if he furnishes documents in original, that is with regard to trained Civil Defence Volunteer and have completed the Civil Defence foundation training under the Civil Defence Organization, without prejudice to the rights and contentions of the parties and subject to further orders that may be passed. After the examination mark sheets / records relating to the applicant shall be kept in a sealed cover and the result of the applicant shall not be published without the leave of this Tribunal. Let

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the matter appear under the heading “For Orders” on 19th January, 2022.

Parties are directed to act on the copy of the order downloaded from the website of this Tribunal.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN

S.M.