

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

**Case No. – OA 954 of 2019**

**Serajul Islam - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicants	: Mr. S. Dasgupta, Advocate.
<u>7</u> 22.03.2021	For the State Respondent	: Mr. G.P. Banerjee, Advocate.
	For West Bengal Group D Recruitment Board	: Mr. M.N. Roy, Advocate.

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

Affidavit of service filed today be kept on record.

Heard Mr. S. Dasgupta, learned advocate for the applicant.

Mr. G.P. Banerjee, learned advocate for the State respondents submits that all the posts in the advertisement have been filled up. In reply, Mr. Dasgupta submits that the application was filed prior to the filling up of the post.

Mr. M.N. Roy, learned advocate for the West Bengal Group D Recruitment Board, the respondent no. 2A, submits that the applicants do not have the right to be appointed in view of the judgment passed in “Shankarsan Dash –v-. Union of India (AIR 1991 SC 1612), particularly the law laid down in paragraph 7 thereof.

The matter is admitted. Let reply be filed by 19<sup>th</sup> May, 2021. Rejoinder, if any, by 18<sup>th</sup> June, 2021.

Matter to appear under the heading “Reply, Rejoinder and Objection” on 23<sup>rd</sup> June, 2021.

(SOUMITRA PAL)  
CHAIRMAN

Rajib

**ORDER SHEET**

Form No.

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**Vs.**

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