

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Ranjit Kumar Bag  
& The Hon'ble Subesh Kumar Das

Case No. MA – 75 OF 2018 Arising out of OA- 978 OF 2017  
TAPAS KUMAR BHATTACHARJEE Vs. STATE OF WEST BENGAL & ORS.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;"><u>06</u> 12.06.18</p>	<p>For the Applicant : Mr.R.Halder Ms.A.Dutta Mr.C.Sarkar Learned Advocates</p> <p>For the Respondent : Mr.G.P.Banerjee Learned Advocate</p> <p>The applicant submitted application for recruitment to the post of Medical Technologist (Lab) Grade-III of the West Bengal Sub-ordinate Health Services under the Department of Health &amp; Family Welfare, Government of West Bengal in response to Advertisement No. R/MT/01/14. The applicant appeared in the interview and submitted necessary documents in support of his eligibility and working experience and obtained total marks of 64.50 out of 100 marks in the said selection process. The applicant was found eligible, but his name was not recommended for appointment on the ground that the experience certificate submitted by the applicant was not found to be genuine. The applicant has prayed for direction upon the respondents to give appointment to the applicant after consideration of the experience certificate submitted by the applicant.</p>	

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	<p>On consideration of the status report submitted by the State Respondents, the Tribunal directed Chief Medical Officer of Health, Purba Bardhaman to conduct an enquiry in connection with the experience certificates submitted by the applicant in support of his experience and submit a report about the said experience certificate. The report submitted by Chief Medical Officer of Health, Purba Bardhaman on April 10, 2018 indicates that the applicant worked in Hitech Laboratory &amp; Diagnostic Centre, Burdwan from September 21, 2009 to March 31, 2014 as reflected from the attendance register maintained in the said Diagnostic Centre and the person who issued the certificate has the authority to issue the same. The report further indicates that the said Diagnostic Centre was recognised under West Bengal Clinical Establishment Rules, 2003 during the period when the applicant worked in the said Diagnostic Centre. On consideration of the report submitted by the Chief Medical Officer of Health, Purba Bardhaman, we are of the view that the experience certificate submitted by the applicant is genuine and the applicant is entitled to get marks on the basis of the said experience certificate.</p>	

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BLR	<p>Accordingly, the Respondent No.2, the Secretary, West Bengal Health Recruitment Board is directed to consider the experience certificate submitted by the applicant as genuine and award proper marks for the same. If the applicant is found to have secured marks which is more than the marks obtained by the last selected candidate in the category of the applicant, the Respondent No.2 is directed to recommend the name of the applicant for appointment to the post of Medical Technologist (Lab) Grade-III of West Bengal Sub-ordinate Health Services. The Respondent No.2 is directed to complete the entire exercise within a period of twelve (12) weeks from the date of communication of the order. With the above direction, the original application stands disposed of.</p> <p>Let a plain copy of the order be supplied to both parties.</p> <p style="text-align: center;">(S.K.Das) MEMBER(A)</p> <p style="text-align: right;">(R.K.Bag) MEMBER (J)</p>	