

ORDER SHEET

Form No.

SUJOY DEY SARKAR & ANOTHER.

Vs.

THE STATE OF W.B. & ORS.

Case No. **OA 105 of 2016.**

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>since the applicants had secured 45% and 48% respectively and the last successful candidate secured 61% marks, the applicants were not selected.</p> <p>Heard learned advocates for the parties. In order to adjudicate the matter, the relevant portion of paragraphs 3(c) and (d) of the reply, submitted by the State respondents, is set out hereunder :-</p> <p><i>“...C. The applicants took part in that written examination held on 03.06.2007 as a candidate from Dakshin Dinajpur district. But his name did not feature in the list of the successful candidates as they secured 45% & 48% marks, respectively, whereas the last successful candidate secured 61% marks. The names of the successful candidates were published in two widely circulated daily news papers on 12th July, 2007, namely Ajkal and Ganashakti.</i></p> <p><i>D. Being unsuccessful, he was not offered any job under Government of West Bengal...”.</i></p> <p>The said paragraphs in the reply have been dealt with in paragraph 7 and 8 of the rejoinder, which is as under :-</p> <p><i>“...7. With regard o the statements made in sub-paragraph no. (c) of paragraph no. 3 of the</i></p>	

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Skg.	<p><i>said reply it is stated that the respondents did not publish the result and in this paragraph the respondents stated that the alleged result was published at Ajkal & Gansakti even though those two dailies are not widely circulated newspapers.</i></p> <p><i>8. With regard to the statements made in sub paragraph no. (D) paragraph no. 3 of the said reply it is stated that since the result of the competitive examination was not published it cannot be said that the applicants were unsuccessful....”.</i></p> <p>Evidently the result was published in two daily newspapers and the applicants secured 45% and 48% marks respectively and the last successful candidate secured 61% marks. The applicants have not denied these facts in paragraphs 7 and 8 of the rejoinder. Therefore, no order is passed on the application. The application is dismissed.</p> <p>(P. Ramesh Kumar) Member (A)</p> <p>(Soumitra Pal) Chairman.</p>	