

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

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No – OA 310 OF 2020

PALLABI SANKARI (Minor) represented by Gobinda Sankari Vs The 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>3 05.10.2020</p>	<p>For the Applicant : Mr. G.P. Banerjee, Advocate</p> <p>For the Respondents: None</p> <p>Affidavit of service filed be kept on record. Despite service of notice none appears on behalf of the respondents.</p> <p>Heard Mr. G.P. Banerjee, learned advocate for the applicant. As prayed for leave granted to the applicant to file supplementary affidavit. Let the supplementary affidavit filed be kept on record.</p> <p>In this application, Pallabi Sankari (Minor) represented by Gobinda Sankari, her father and legal guardian has prayed for a direction upon the respondents to allow the applicant to take admission for General Nursing and Midwifery, GNM, (Session November 2020 to October 2023) Training Course through online.</p> <p>We find that the applicant pursuant to the notification dated 27th July, 2020 applied for the course wherein he had submitted an E.W.S. certificate dated 30th August, 2020, issued by the Pradhan of the concerned</p>	

ORDER SHEET

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>Gram Panchayat. We further find that his case has not been considered as the certificate was not issued by an authority as prescribed in paragraph (viii) of the notification dated 27th July, 2020. It appears from the supplementary affidavit filed today that thereafter the applicant has applied for E.W.S. certificate before the appropriate authority and the Sub-Divisional Officer, Baruipur, South 24 Parganas has issued a certificate dated 25th September, 2020 in favour of the applicant which is “valid for the year 2020-2021”, being Annexure ‘N’ to the supplementary affidavit.</p> <p>It is submitted by Mr. G.P. Banerjee, learned advocate for the applicant that since the applicant, who is now a major, has filed the certificate issued by the competent authority as stipulated by the notification which is valid for the year 2020-2021 appropriate direction may be issued on the State respondents to consider the same.</p> <p>Having heard Mr. Banerjee, and considering the facts and circumstances of the case, the application is disposed of by granting liberty to the applicant to file a representation ventilating her grievances annexing relevant documents including the relevant E.W.S. certificate before the Director of Health Service, Government of West Bengal, the respondent no.2 by 9th October, 2020. If such representation is filed within the time as stipulated, the said respondent no.2 shall dispose of the same by passing a reasoned order to be</p>	

ORDER SHEET

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
SCN.	<p>communicated to the applicant by 15th October, 2020. We make it clear that we have not gone into the merit of the application and all the points are kept open to be considered by the said respondent authority.</p> <p>Since for circumstances beyond control the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	