

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble JUSTICE RANJIT KUMAR BAG
& The Hon'ble DR. SUBESH KUMAR DAS**

Case No –

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 style="text-align: center;">02</p> <hr/> <p>18.06.2018</p>	<p style="text-align: center;">Case No – <u>OA 410 OF 2018</u></p> <p>RAJIB KARMAKAR + 12 OTHERS <u>Vs</u> The State of West Bengal & Ors.</p> <p style="text-align: center;">&</p> <p style="text-align: center;">Case No – <u>OA 417 OF 2018</u></p> <p style="text-align: center;">SUMANA ROY + 3 OTHERS <u>Vs</u> The State of West Bengal & Ors.</p> <p><i>For the Applicants : Mr. G. P. Banerjee, Mr. K. Bose, Mr. U. Betal, Mr. S. Sarkar, Learned Advocates.</i></p> <p><i>For the Respondents : Mr. S. Ghosh, Learned Advocate.</i></p> <p><i>The issue involved in both the original applications is whether the applicants can participate in the selection process for recruitment to the post of Medical Technologist (Lab) Grade III in response to Advertisement No. R/MT/Phar/Physio./48/2/2018 issued by the respondent, Secretary & Controller of Examination, West Bengal Health Recruitment Board. With consent of Learned Counsel representing both parties these applications are taken up for hearing as both the applications can be disposed of by common order.</i></p> <p style="text-align: center;"><i>The applicants claim to have passed Higher Secondary</i></p>	

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Examination without physics, but they have fulfilled educational qualifications in terms of qualifications disclosed in the above advertisement no. R/MT/Phar/Physio./48/2/2018 which as follows :

“Qualification :

***Essential :** Passed Higher Secondary (10+2) Examination or its equivalent with Physics, Chemistry and Biology and a two-years Diploma Course in the Laboratory Technologist recognized by the State Medical Faculty of West Bengal under West Bengal Para Medical council, or conducted by any recognized Institution affiliated to any recognized University, or a Bachelor Degree in Laboratory Technology from any institution/University recognized by the Government of West Bengal, or one year Diploma Course in Laboratory Technology, where basic qualification of undergoing the said course is B.Sc (pure/Bio) offered by the West Bengal State Medical Faculty, or by any recognized University.”*

Mr. K. Bose, Learned Counsel representing the applicants contends that the candidates who have obtained Bachelor Degree in Laboratory technologist from the recognised Institute are eligible to participate in the selection process even if they have passed Higher Secondary Examination without physics. Mr. S. Ghosh, Learned Counsel representing the State respondents submits that the applicants may participate in the

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selection process if they are qualified to do so in terms of the advertisement published by the respondent, Secretary & Controller of Examination, West Bengal Health Recruitment Board.

In view of the above submissions from the Bar, the respondent, the Secretary & Controller of Examination, West Bengal Health Recruitment Board is directed to permit the applicants to participate in the selection process for recruitment to the post of Medical Technologist (Lab) Grade III in terms of advertisement No. R/MT/Phar/Physio./48/2/2018, subject to fulfilment of eligibility criteria. If the applicants do not satisfy the eligibility criteria as laid down in the advertisement, the respondent, Secretary & Controller of Examination, West Bengal Health Recruitment Board is at liberty to reject the application of the concerned applicants. The respondent, Secretary & Controller of Examination, West Bengal Health Recruitment Board is directed to act upon the authenticated plain copy of the order passed by the Tribunal. With the above direction both the original applications are disposed of.

Let an urgent plain copy of the order be supplied to both parties free of cost.

(S.K.DAS)

Member (A)

(R.K.BAG)

Member (J)

H.S

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