

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

The Hon'ble Justice Soumitra Pal.
& The Hon'ble Mr. P. Ramesh Kumar .

Case No – OA 468 of 2018.

AVIJIT SAHA - THE STATE OF W.B. & 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>25.07.2018.</p>	<p>For the Applicant : Mr. A. K. Banerjee, Sk. Fatridullah, Advocates.</p> <p>For the State Respondents : None.</p> <p>Leave is granted to the applicant to correct the typographical error in the cause title so far it relates to Respondent No. 2(iv) and (v) .</p> <p>Let affidavit of service filed today be kept on record. Let supplementary affidavit filed pursuant to the directions, contained in the order dated 19TH July, 2018 be kept on record. Let reply to the application and to the supplementary affidavit be filed by 31st August, 2018. Rejoinder, if any, by 14th September, 2018. Matter to appear under the heading "Hearing" on 4th October, 2018.</p> <p>So far the prayer for interim order is concerned, Mr. Banerjee , learned advocate appearing on behalf of the applicant, referring to the grounds, particularly ground nos. 3 ,4, 5 and 6 and the statements made in paragraph 6, particularly sub-paragraphs (x),(xi),(xiii),(xv),(xvi) and (xviii), submits that since the applicant has requisite qualifications and Admit Card was</p>	

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	<p>issued for interview, appropriate interim order may be passed protecting the rights of the applicant. On a query, it is submitted that since it is evident from the Notification appearing at page 41 of the Original Application that 51 posts are vacant, out of which 5 were reserved for OBC(A), 3 for OBC(B), 11 for S.C. , 3 for S.T. and the rest for general candidates, since as evident from annexure J to the supplementary affidavit 9 posts from S.C. category have been recommended to be filled up leaving 2 posts for S.C. still to be recommended, appropriate interim order may be passed protecting the rights of the applicant by keeping at least one post vacant.</p> <p>In view of the submission advanced and in view of the grounds, particularly ground nos. (iii),(iv),(v) and (vi) and the statements made in paragraphs 6 sub paragraphs(x),(xi),(xiii),(xv),(xvi) and (xviii) and keeping annexure "C" to the Original Application and annexure "J" to the supplementary application into consideration, we are of the view that a prima facie case has been made out for passing an interim order. Therefore, the Respondents are at liberty to fill up the posts in the S.C.</p>	

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Skg.	<p>category keeping one post in the S.C. category vacant.</p> <p>The Respondent No. 1 to 4 are at liberty to apply for variation and/or vacation of the interim order upon notice.</p> <p>(P. Ramesh Kumar) Member (A)</p> <p>(Soumitra Pal) Chairman.</p>	