

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

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble P. Ramesh Kumar (Administrative Member)

Case No. OA-503 OF 2019

DR SANKAR NATH JHA 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;"><u>01</u> 10.07.19</p>	<p>For the Applicants : Mr.M.N.Roy Advocate</p> <p>For the Respondents : Mr.G.P.Banerjee Advocate</p> <p style="text-align: center;">Affidavit of service filed today be kept on record.</p> <p style="text-align: center;">Though the matter has appeared under the heading "New Application", since copies of the application have been served and Mr.G.P.Banerjee, learned advocate has entered appearance on behalf of the State respondents, on the prayer of Mr.M.N.Roy, learned advocate for the applicant, the matter is taken up for hearing.</p> <p style="text-align: center;">At the outset, it is submitted by Mr.Roy that since the applicant fulfils the criteria to participate in the selection process to the post of Associate Professor in the discipline of Community Medicine under the West Bengal Medical Education Service, Department of Health and Family Welfare, Government of West Bengal as he has completed more than four years as</p>	

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	<p>Associate Professor and as articles have been published in foreign journals and as well as in Index Medicus, as evident from page 36 of the application and thereby fulfils the norms for participating in the selection process and as the selection process is going to be held on 15th July, 2019, appropriate interim order may be passed. Submission is though the applicant fulfils the criteria for participation in the selection process, yet his candidature has been rejected by a cryptic order, as evident from page 30 of the application, though it is evident that it has been kept pending.</p> <p>Mr.G.P.Banerjee, learned advocate appearing on behalf of the State respondents submits that since it has been found that the petitioner is ineligible for interview, no order may be passed.</p> <p>Since we find that the selection process to the post of Associate Professor is going to be held on 15th July, 2019 and as we prima facie find that the petitioner fulfils necessary qualifications for the post concerned and as we also prima facie find that the order rejecting the candidature of the applicant is</p>	

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BLR	<p>cryptic, let there be an interim order directing the Director of Medical Education & Ex-Officio Secretary, Department of Health and Family Welfare, Government of West Bengal, Kolkata, the respondent No.2 to allow the applicant to participate in the post of Associate Professor (Community Medicine) to be held on 15th July, 2019 or any other subsequent date without prejudice to the rights and contentions of the parties and subject to further order that may be passed. After the selection process, the result of the applicant shall be kept in sealed cover and shall not be published without the leave of the Tribunal. Let the matter appear under the heading "For Order" on 14th August, 2019. Reply and rejoinder in the meantime.</p> <p>(P. RAMESH KUMAR) MEMBER (A)</p> <p>(SOUMITRA PAL) CHAIRMAN</p>	