

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

Hon'ble Justice Soumitra Pal, Hon'ble Chairman.
& Hon'ble Mr. P. Ramesh Kumar, Administrative Member.

Case No. OA 679 of 2018.

BIPLAB NANDI & ORS – 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>4 9.1.2019.</p>	<p>For the Applicants : Mrs. M. Roy Chowdhury, Advocate.</p> <p>For the State Respondent : None.</p> <p>For the PSCWB : Mr. A.L. Basu, Mr. S. Bhattacharya, Advocates.</p> <p>In this application the applicants have challenged the order dated 30th August, 2017 passed by the Secretary cum Controller of Examination, West Bengal Staff Selection Commission on the ground that except one applicant the other applicants were not given an opportunity of hearing . Be it noted that the impugned order was passed pursuant to the direction contained in the order dated 23rd June, 2017 in OA No.224 of 2015 (Hirak Patra & Ors –Vs- State of West Bengal & Others) wherein the Tribunal while disposing of the matter had directed as under :-</p> <p><i>“.....Learned Advocate for the Staff Selection Commission submits that at present there is no Chairperson upon superannuation of the previous incumbent. She further submits that the Secretary-cum-</i></p>	

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	<p><i>Controller of Examination is holding charge of the Commission. Accordingly it is directed that the representation made before the Chairperson by the Applicant on 11.08.2014 should now be disposed of by the Secretary-cum-Controller of Examination within a period of four weeks from the date of communication of this order after giving an opportunity of hearing to the Applicant...". (emphasis supplied)</i></p> <p>It appears that the said matter was disposed of by directing the Secretary cum Controller of Examination, West Bengal Staff Selection Commission to dispose of the matter after giving an opportunity of hearing to the applicant and not all the applicants in the application as submitted on behalf of the applicant. Let it be noted that the Staff Selection has been wound up in September, 2017. The selection process is of 2014. Since the Tribunal had directed the matter to be disposed of after giving an opportunity of hearing to the applicant, the Secretary cum Controller of Examination, West Bengal Staff Selection Commission was justified in passing the order after giving an opportunity of hearing to an</p>	

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Skg.	<p>applicant. Therefore, no order is passed on this application. The application is disposed of.</p> <p>(P. Ramesh Kumar) Member(A).</p> <p>(Soumitra Pal) Chairman.</p>	