

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Mrs. Urmita Datta (Sen), Member(J)****The Hon'ble Mr. P. Ramesh Kumar, Member(A)****Case No – OA- 68 of 2019.****Md. Toushif Jamal. Vs The State of West Bengal & Others.**

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>5</p> <hr/> <p>02/08/2019</p>	<p>For the Applicant : Mrs. S. Agarwal, Ld. Advocate.</p> <p>For the State Respondents: N o n e</p> <p><i>The instant application has been filed praying for following relief;</i></p> <p>a) <i>An order do issue directing the respondent authorities to consider the prayer and/or representation dated 01.12.2018 made by the applicant for review of post on appointment from Group "D" post to Group "C" post forthwith</i></p> <p>b) <i>An order do issue directing the respondents and/or their servants and/or their agents and/or their men to appointment from Group "D" post to Group "C" post on compassionate ground in favour of the applicant.</i></p> <p>c) <i>An order do issue calling on respondents to certify and transmit records of the case to this Hon'ble Tribunal so that this Hon'ble Tribunal may upon considering of the same pass appropriate order so as to do conscionable justice to the applicant.</i></p> <p>d) <i>Any other appropriate order or orders and/or</i></p>	

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Form No.

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GM	<p><i>direction/directions as to this Hon'ble Tribunal may deem fit and proper to protect the right of the applicant.</i></p> <p><i>e) Cost and incidental charges.</i></p> <p><i>Though enough opportunity was granted to the respondents, none appears for the respondents. However, it is noted that the applicant was appointed vide order dated 30.11.17 for the post of GDA and subsequently joined the said post on 01.12.2017. However, as per the applicant, since he has requisite qualification, he may be posted in any Group "C" posts. In view of the above, as the applicant had already joined in the Group "D" post, therefore, in our considered view, he cannot claim any posting and/or promotion to the Group "C" post without proper selection procedure. However, he may participate in any general selection process as per his qualification as per rules. Accordingly, we do not find any reason to entertain the application. The application is dismissed being devoid of merit.</i></p> <p>P. RAMESH KUMAR MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	