

**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-819 OF 2014**

**BANIBRATA ROY 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>29</u> 25.07.19</p>	<p>For the Applicant : Ms.G.Biswas Advocate</p> <p>For the Respondents : Mr.S.Ghosh Advocate</p> <p>In this application, the applicant, who had applied for the post of Assistant Operator in the OBC Category in the district of South 24 Paraganas under Burdwan (A-M) Circle, under the Water Investigation Resource and Development Directorate, Government of West Bengal in the year 2000, has prayed for a direction upon the respondents to consider his case and to appoint him as he was selected on the basis of interview held on 2<sup>nd</sup> March, 2000. The Original application was filed on 24<sup>th</sup> July, 2014. Thereafter directions were issued to file reply and rejoinder. Reply and rejoinder have been filed.</p> <p>It is submitted by Ms.G.Biswas, learned advocate for the applicant that since the applicant participated in the interview held in the year 2000 and later came to learn that he was successful, however, as he has not been appointed, appropriate order may be passed.</p>	

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	<p>Mr.S.Ghosh, learned advocate for the State respondents relying on the reply submits that the applicant applied for the post and on 2<sup>nd</sup> March, 2000 was called for interview. After the selection process of 1999-2000, the department again started a process of selection in the year 2006-2007 for the post of 281 Assistant Operators out of which seven posts were allotted for the district of South 24 Paraganas under Burdwan (A-M) Circle, the post for which the applicant had earlier applied in 2000. Therefore, the unfulfilled vacancy, if any, in the post of Assistant Operator under Burdwan (A-M) Circle got merged in the recruitment process of 2006-2007. According to him the applicant started to submit petitions under the Right to Information Act in 2005, in 2009, that is after more than eight years of the interview and is silent about his conduct from 2000 till 2013. In 2014 he has filed this application. Therefore this application is hit by Section 21 of the Administrative Tribunals Act, 1985. Moreover the Finance Department, Government of West Bengal had issued a notice on 2<sup>nd</sup> July, 2010 by which all panels were cancelled as per the Government</p>	

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BLR	<p>Order dated 2<sup>nd</sup> July, 2010 with immediate effect unless there is a specific direction of any Court of law to keep concerned panel alive and to make appointment out of such panel.</p> <p>Admittedly, the applicant had participated in the selection process of 2000. At that point of time he made no effort to know the result of the selection process. As seen, later he had filed applications under 2005 Act. Thereafter, in the year 2014 he had filed the Original application. Since we find that the interview took place in the year 2000 and the applicant made no effort to know the result of the selection process and as by order dated 2<sup>nd</sup> July, 2010, being Annexure-R to the reply to the original application, all panels as well as waiting list have been cancelled, no order can be passed on this application. The application is dismissed.</p> <p><b>(P. RAMESH KUMAR)</b> <b>MEMBER (A)</b></p> <p><b>(SOUMITRA PAL)</b> <b>CHAIRMAN</b></p>	