

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-820 OF 2019**AVIJIT DAS 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>02</u> 21.11.19</p>	<p>For the Applicant : Mr.S.Ghosh Advocates</p> <p>For the Respondent : Mr.G.P.Banerjee Advocate</p> <p>In this application, Mr.Avijit Das, - who applied for the post of Sub-Inspector (Armed Branch, Male) in West Bengal Police, 2018 recruitment process has prayed for certain reliefs, the relevant portion of which is as under:</p> <p style="text-align: center;">“a) An order do issue directing the respondent authorities to issue appointment letter in favour of your applicant for the post of Sub-Inspector of Police (AB) Male, in West Bengal Police, 2018, within a stipulated time period as the applicant has qualified all the hurdles regarding the mode of recruitment for the aforesaid post and has secured 112.06 marks in total, wherein the final result as published by the respondents indicates that cut off score for Sub-Inspector of Police (AB) Male was at 105.6 marks.</p>	

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	<p>b) An order do issue directing the respondent authorities to transmit all relevant records and papers pertaining to the selection of your applicant to the post of Sub Inspector of Police under the respondent authorities for the year 2018 so that conscionable justice be delivered”.</p> <p>Mr.S.Ghosh, learned advocate for the applicant submits that since the applicant has been successful in all the four stages in the Preliminary Examination, Physical Measurement Test, Physical Efficiency Test and in the Final Combined Competitive Examination and as in the Armed Branch (Male) under unreserved category, the cut off marks has been 105.6 marks and the applicant scored total marks 112.6 he is entitled to be appointed in the unreserved category. On a query, referring to Annexure-B to the application, it is submitted that the first preference of the applicant was in the Armed Branch category and Unarmed Branch category was the second preference.</p> <p>Mr.G.P.Banerjee, learned advocate for the State respondent submits on instruction that there is no</p>	

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BLR	<p>dispute that the petitioner had applied in the Armed Branch as well as in the Unarmed Branch category and secured 112.60 marks. In the Unarmed Branch category the last selected candidate secured 118 marks. In the Armed Branch category though the applicant had secured 112.60 marks and the last selected candidate had secured 105.6 marks, the applicant could not qualify as in the chest expansion the applicant could expand up to 84 cm whereas the minimum bench mark was 86 cm. Let a copy of the written instruction filed by Mr. Banerjee be kept on record and a copy of the same be served on Mr. Ghosh, which is served and accepted.</p> <p>Since we find that the applicant could not succeed in the examination of Unarmed Branch category as he secured less marks and in the Armed Branch category he could not fulfil the minimum bench mark in the chest expansion measurement, 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>