

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

Hon'ble Justice Soumitra Pal,  
Hon'ble Mr. P. Ramesh Kumar,

Hon'ble Chairman &  
Administrative Member.

**Case No. OA 931 of 2015.**

**KUMARESH SIL – VERSUS- 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;">6</p> <hr/> <p>14.8.2019.</p>	<p>For the Applicant : Mr. G. Halder, Advocate.</p> <p>For the State Respondent : Mr. S. Ghosh, Advocate.</p> <p style="text-align: center;">In this application, the applicant, who had participated in the selection process for the post of Group D, Barrackpore Reserve Armed Force, West Bengal, has challenged the action of the respondent authorities in declaring him unfit.</p> <p style="text-align: center;">Heard Mr. G. Halder, learned advocate for the applicant and Mr. S. Ghosh, learned advocate for the respondents.</p> <p style="text-align: center;">We find that the issue is covered by the judgement delivered on 7<sup>th</sup> August, 2012 in OA 382 of 2012 Arindam Sarkar-vs- State of W.B. &amp; Ors with OA 403 of 2012 Nepal Ch. Das –vs- State of W.B. &amp; Others wherein the tribunal, after hearing the parties, held as follows :-</p> <p style="text-align: center;">“.....The question which comes for consideration whether the petitioner at this stage can raise question about the elimination test through physical measurement and efficiency test and we find merit in the</p>	

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THE STATE OF WEST BENGAL &amp; OTHERS.

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Skg.	<p>contention of Mr. G.P. Banerjee that once, the participants accepted the process of selection, after being unsuccessful, he cannot raise any question.</p> <p>In view of our above observation, we dispose of this application accordingly. ....”.</p> <p>Since the issue has already been decided against the applicant, 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>	