

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

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No –OA 745 OF 2018

ASIT 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;">2</p> <hr/> <p>24.01.2019</p>	<p>For the Applicant : Mr. S. Banerjee, Advocate</p> <p>For Respondents : Mr. G.P. Banerjee Advocate</p> <p style="text-align: center;">Let affidavit of service filed today be kept on record.</p> <p style="text-align: center;">In this application, the applicant has prayed for a direction upon the respondents to give appointment in Group 'D' post in the Department of Registration and Stamp Revenue, Government of West Bengal in accordance with the order dated 1st February, 2010 passed by the Tribunal in O.A. 1623 of 2009 in the case of the applicant.</p> <p style="text-align: center;">It is submitted by Mr. S. Banerjee, learned advocate for the applicant that though as evident from pages 48, 49 and 50 of the original application that the applicant had applied before the authorities along with necessary documents in support of his claim, no reply has been received. Thereafter by letters dated 21st January, 2016, 17th August, 2017 and 16th August, 2018, justice was sought for on behalf of the applicant. However, as till</p>	

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	<p>date no action has been taken, aggrieved this application has been filed.</p> <p>Mr. G.P. Banerjee, learned advocate appearing on behalf of the respondents, referring to the order dated 1st February, 2010, submits that since till date no selection process has been undertaken, no order may be passed.</p> <p>Heard Mr. S. Banerjee and Mr. G.P. Banerjee. It appears that earlier the applicant had moved the Tribunal and the Tribunal while disposing of the matter by its judgement dated 1st February 2010 passed in O.A. 1623 of 2009 had, inter alia, held as under :</p> <p style="text-align: center;">“We, however, hold, following submissions of Mr. S. Banerjee, that when the petitioner was in casual service, if there is any available sanctioned post and if the authority takes up selection process to fill up that post, the petitioner should be allowed to participate in the selection process and if he comes out successful, his case should be considered even condoning his age bar having regard to the fact that he rendered service for a long period.</p>	

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SCN.	<p>Since it is submitted on behalf of the respondents that till date no fresh selection process has been undertaken, no order can be passed on this application. However, in view of the order passed on 1st February, 2010 by the Tribunal, the District Registrar, Barasat Registry Office, Barasat, North 24 Parganas, the respondent no.6 is directed to intimate the applicant within eight weeks from the date of communication of this order whether any selection process has been undertaken or not. The application is disposed of.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	