

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

The Hon'ble Justice Soumitra Pal
& The Hon'ble P. Ramesh Kumar.

Case No –OA-134 of 2015.

Sabbir Ahammed. –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 style="text-align: center;">15 <hr/>15.11.2018</p>	<p>For the Applicant : Mrs. Sonali Mitra, Advocate.</p> <p>For the Respondent No.-1 : Mr. Apurba Lal Basu, (Labour Department). Advocate.</p> <p>For the Respondent No.-5 : Mrs. Mousumi Mallick, (P & A. R. Department). Advocate.</p> <p>In this application the applicant, belonging to physically handicapped category of Locomotor Disorder or Cerebral Palsy a sub-category of unreserved category, has prayed for a direction upon the respondents to grant appointment since he was a successful candidate. It appears that the applicant had participated in the selection process for the post of LDC/Assistant (Group-C) post and according to him secured rank 4 in the merit list meant for unreserved (LM or CP) category. It has been stated though successful, the respondent authorities are yet to issue appointment letter in his favour. Allegation is the respondents are merging the vacancies of UR (OH) and UR (LM or CP) to deny appointment to the applicant. It appears from page-24 of the application that under "Category (Sub-Category)" "UR (LM or CP)" there are 4 State Cadre vacancies and 6 District</p>	

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	<p>Cadre vacancies. Thus there were 10 vacancies. It appears from page -25 that the applicant's name appeared against serial no.-4 which shows that he was within the zone for being appointed subject to "verification of documents of provisionally selected candidates under Locomotor Disability or Cerebral Palsy Sub-Category of Unreserved category." It appears from records that though on 18th August, 2015 direction was issued to file reply, no reply has been filed by the respondents. In the absence of reply, the statements made in the application, which have gone uncontroverted, are deemed to be correct.</p> <p>Heard Mrs. Sonali Mitra, learned advocate for the applicant and Mr. Apurba Lal Basu, learned advocate for the Secretary, Labour Department, Government of West Bengal - respondent no.-1 and Mrs. Mousumi Mallick, learned advocate for the added respondent no.-5.</p> <p>Since we find that the applicant's name appeared against serial no.-4 and as we find that there were 4 State Cadre vacancies and 6 District Cadre vacancies, we direct the Principal Secretary, Personnel & Administrative Reforms Department, Government</p>	

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Sourav	<p>of West Bengal - respondent no.-5, the added respondent, to appoint the applicant as LDC/Assistant (Group-C) post within three months from the date of presentation of a copy of this order subject to verification as already noted hereinbefore. The application is disposed of.</p> <p>(P. RAMESH KUMAR) MEMBER (A)</p> <p>(SOUMITRA PAL) CHAIRMAN</p>	