

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Justice Soumitra Pal****&****The Hon'ble P. Ramesh Kumar.****Case No –OA-380 of 2017.****Indra Kumar Roy & Ors. –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;"><u>9</u> 29.11.2018</p>	<p><b>For the Applicants : Mrs. Sonali Mitra, Advocate.</b></p> <p><b>For the Respondents : Mr. Soumendra Narayan Ray, Advocate.</b></p> <p>In this application the applicants have challenged the order dated 24<sup>th</sup> June, 2014 passed by the Principal Secretary to the Government of West Bengal annulling the process of recruitment initiated in 2006 for the recruitment to the post of Excise Constables. Though directions were issued for filing of affidavits, no affidavit has been filed by the respondents. It is submitted by Mr. Soumendra Narayan Ray, learned advocate for the respondents that since the State authorities have the authority to cancel the selection process at any stage prior to giving appointment, the order under challenge is just and proper.</p> <p>Mrs. Sonali Mitra, learned advocate for the applicants submits that since the selection process is over and as the applicants have crossed the age bar, direction may be given to the respondents to allow them to participate in the future selection process condoning the age bar.</p>	

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Form No. ....

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<i>Sourav.</i>	<p>Having heard Mrs. Mitra and Mr. Ray and considering the facts and circumstances of the case, we are of the view that the order dated 24<sup>th</sup> June, 2014 passed by the Principal Secretary to the Government of West Bengal requires no interference as the state authority have the right to cancel the selection process in the facts and circumstances as mentioned in the order dated 24<sup>th</sup> June, 2014 which is under challenge. However, as the applicants have now crossed the age for applying in a post under the State, considering the said fact we dispose of this application by directing the State respondents to allow them to appear in the future selection process for the post of Excise Constables after condoning the age bar, if they are otherwise eligible. No order as to costs.</p> <p><b>(P. RAMESH KUMAR)</b> <b>MEMBER (A)</b></p> <p><b>(SOUMITRA PAL)</b> <b>CHAIRMAN</b></p>	