

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. OA – 25 of 2025

Ramratan Chakraborty & Another - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No.	For the Applicants	: Mr. K. Kr. Roy,
and		Learned Advocate.
Date of order		
<u>2</u>	For the Respondents	: Mr. S. Ghosh,
24.03.2025		Learned Advocate

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638 – WBAT / 2J-15/2016 dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The prayer in this application is for withdrawing the impugned notification dated 28.08.2023 issued by the Secretary and Controller of Examination, West Bengal inviting application for the post of Medical Technologist (Optometry), Grade-II.

The contention of Mr. Roy, learned counsel is that such advertisement is a violation of the Recruitment Rule which does not prescribe Bachelors in Optometry as an essential qualification to the recruitment to the said post.

It has become apparent to the Tribunal that the applicants after willingly participating in the entire selection process, including the written examination and interview has now rushed to this Tribunal to protest against the same examination. It is also very strange, as known from Mr. Ghosh, that the result of this examination is yet to be published. This means that the applicants having participated but yet to know the result has approached the Tribunal by filing an application disputing the very legality of the same examination.

By filing such an application it has also become evident that the applicants have not exhausted all the remedies available to them by furnishing representations before the respondent authorities. Therefore, such an application praying for setting aside the impugned Notification dated 28.08.2023 is not a valid application and not maintainable before this Tribunal.

This application is disposed of without passing any orders.

A.K.P.

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)

ORDER SHEET

Form No.

Samba Hembram

Vs.

Case No. **OA – 370 of 2024**

THE STATE OF WEST BENGAL & ORS.

WEST BENGAL ADMINISTRATIVE TRIBUNAL