

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 – 448 of 2022

Arup Kumar Mandal & Others - VERSUS - THE STATE OF WEST BENGAL & ORS.

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| Serial No. and Date of order <u>8</u> 11.01.2023 | For the Applicants | : Ms. S. Paul, Advocate. |
| | For the Respondents | : Mr. G. P. Banerjee, Advocate |
| | For Public Service Commission, W.B. | : Mr. S. Bhattacharjee, 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.

In this application, 64 applicants have challenged the Clerkship Examination conducted by the Public Service Commission in 2019 since they were not considered for the next round of evaluation – “Computer Knowledge and Computer Type Test”.

Aggrieved, they have come to the Tribunal praying for setting aside the impugned list of candidates who had qualified in Part-I and Part-II Written Exam.

On an earlier date, the Tribunal had directed the Public Service Commission to file their reply. Mr. Bhattacharjee, appearing for Public Service Commission, prays for accommodation to submit the reply of the Public Service Commission.

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THE STATE OF WEST BENGAL & ORS.

The matter relates to appointment in Government service for the post of Lower and Upper Division Clerks conducted by the Public Service Commission and the matter was earlier heard by a Bench comprising two members (Judicial and Administrative). In my view, since this matter relates to appointment and in which various points of law are involved, it should be heard by a Bench of two members (Judicial and Administrative). Moreover, this matter as well as matters of similar nature i.e. appointment were heard by a Bench comprising two members (Judicial and Administrative). Learned advocates for all the parties present also agree with the above view.

Hence, let this matter appear before a Bench comprising two members (Judicial and Administrative) on 06.06.2023 under the heading 'Reply, Rejoinder and Objection'.

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)

A.K.P