

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No. –OA 1041 OF 2018

ABHIJIT SINHA RAY - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr. Rishabh Ahmed Khan, Learned Advocate
	For the State Respondents	:	Mr. Gautam Pathak Banerjee, Learned Advocate
<u>16</u> 21.04.2025	For the Public Service Commission, West Bengal	:	Mr. Saurav Bhattacharjee, 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 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

Mr. Bhattacharjee, learned counsel has drawn attention of the Tribunal to sub-paragraph of paragraph 4 in the supplementary reply. In this paragraph, the Commission has informed that the applicant secured 35 marks in the interview and the last recommended candidate, Tapan Das also secured 35 marks in the interview. The date of birth of the applicant is 20.08.1982 and the date of birth of the last recommended candidate is 30.04.1981. As per standard practice, when marks are same, the age factor is considered. Here Tapan Das was recommended because he was older than the applicant.

Mr. Khan, learned counsel wishes to file a rejoinder against the supplementary reply. Let such rejoinder be filed and copy be served on the other side.

Mr. Bhattacharjee, learned counsel has been advised to present papers to show why the Commission follows this practice of recommending a candidate whose age is older than another candidate, like in the instant case.

Let the matter appear under the heading "For Orders" on 07.07.2025.

SCN.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)