

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 127 of 2025**

Meghnath Payal -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Ms. Rajlakshmi Ghatak,
Ld. Advocate.

For the State Respondents : Mr. G.P. Banejee,
Ld. Advocate.

02
23.05.2025

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.

Affidavit of service filed be kept on record.

The prayer in this application is for setting aside the impugned memo. no. 233 dated 19.04.2023. This correspondence issued from the Deputy Inspector General of Police (HQ) to the Superintendent of Police, Hooghly Rural Police District refers to memo. no. 1835 dated 04.08.1977. The relevant part of the memo dated 04.08.1977 relied on by the respondent authority is as under :

"(ii) a candidate with a record of past criminal activities may be declared unsuitable for employment under the State Government or any State Government Undertaking/Organization but no candidate shall be considered unsuitable for employment under the State Government or in any State Government undertaking /Organization by reasons only of the fact that he is or was a member of, or is or was associated or connected with the activities of any political party, group or organisation prior to his appointment."

It has been submitted by Mr. Banerjee, learned counsel that the applicant, who was provisionally selected as a Constable in the year 2005 had suppressed a vital information regarding his involvement in a criminal case while filling up the Police Verification Roll. Such serious omission on the part of the applicant was viewed seriously by the respondent authorities.

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Therefore, the question of his re-appointment even after acquittal from the criminal case does not arise. Mr. Banerjee has been advised to file a reply on behalf of the State respondents and mention this fact. Let such reply be filed before the Tribunal and copy be served upon the other side.

The matter is admitted.

Let the matter appear **before the Registrar Bench** under the heading **"Reply/Rejoinder"** on **12.08.2025**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

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