

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 500 of 2021

Anup Sarkar. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Mr. S. Ghosh, Advocate.
<u>10</u> 12.04.2023.	For the State Respondents	: Mr. M. N. Roy, 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.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for directing the respondent to appoint the applicant in the post of Sub – Inspector of Police (AB) Male under Scheduled Caste category. The recruitment process was conducted by the West Bengal Police Recruitment Board in the year 2019 to recruit Sub-Inspector of Police (AB) and Sub-Inspector of Police (UB).

Submission of Mr. S. Ghosh, learned advocate appearing on behalf of the applicant is that although the applicant scored 136.40 marks in total and the last successful candidate under Scheduled Caste category had scored only 107.7. Therefore, despite scoring higher marks than the last successful candidate in the same category, the applicant was not accepted for being a successful candidate.

Responding to the argument of Mr. Ghosh, Mr. M. N. Roy, learned advocate for the respondent refers to “G.4” of the advertisement appearing at page 18. He submits that this part of the advertisement makes it very clear that the preliminary examination was the screening test for Physical Measurement Test (PMT), Physical Efficiency Test (PET), Final Combined Competitive Examination and Personality Test.

ORDER SHEET

Form No.

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Only those candidates who are successful in the preliminary examination were allowed to participate in the next round of examination.

In this case, the applicant had scored only 121 in the preliminary written test for Armed Branch (AB), whereas the last successful candidate in the AB had scored 123. Though he was not successful for the AB but he was eligible for Un-Armed Branch (UB) as per his score in the screening test. However, in the main written examination under the Scheduled Caste category, the applicant had scored only 136.4, whereas the last successful candidate in the UB belonging to the Scheduled Caste category had scored 140.9. From this, it is clear that the applicant could not be successful for AB in the preliminary examination nor in the UB after the total he scored in the main written examination.

After hearing submissions of the learned advocates and perusing the records, the Tribunal is satisfied that though the candidate had participated but since his score was lower both in AB and UB than the last successful candidate in the category he belonged, therefore his name did not feature in the merit list. Moreover, these facts were accepted by the applicants and he does not challenge on ground of any unfair treatment given to him.

The Tribunal does not find any merit in this application and therefore, the application is disposed of without any order.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A)

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