

ORDER SHEET

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 587 OF 2023**

DR. TAPAS KUMAR MANDAL - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and

Date of order

For the Applicant : Mr.S.Bhattacharjee
Advocate

03

07.05.2024

For the State Respondents : Mrs. Saswati Badyopadhyay
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.

In terms of the direction of this Tribunal in OA 40 of 2022, the West Bengal Health Recruitment Board passed the reasoned order. This reasoned order is being challenged by the applicant in this application. In short, it appears that the applicant participated in the selection process for the post of Homeopathic Medical Officers advertised by the WBHRB on 20.12.2019. The selection process was on the basis of essential qualification and interview. The applicant had scored 75 marks out of 100, whereas the last successful candidate in the same category the applicant belongs – OBC-B had scored 80 marks out of 100. The contention of the applicant is that though he possessed research experience, but the Board failed to award him 5 marks for it. This contention of the applicant has been responded by the Board stating that during online submission, the applicant failed to mention the fact that he possessed research experience. Although the applicant showed relevant documents pertaining to his experience, but the fact remained that such information was not included as part of his online application. By omitting or forgetting to mention this fact, the applicant could not get

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additional 5 marks under research experience.

Mrs.S.Bandyopadhyay, learned counsel wishes to file reply on behalf of the State respondents.

Let such reply be filed by the next date and rejoinder, if any, in the meantime. Matter to appear under the heading “Reply, rejoinder and Further Hearing” on 30th September, 2024.

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

BLR