

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble P. Ramesh Kumar (Administrative Member)

Case No. OA-177 OF 2019

SWAPAN MAHATO Vs. THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;">03 <hr/>04.04.19</p>	<p>For the Applicants : Mrs.S.Mitra Advocate</p> <p>For the Respondents : Mr.G.P.Banerjee Advocate</p> <p>In this application, the applicant, who had applied for the post of Livestock Development Assistant in the selection process of ARD-LR Examination -2012, has prayed for a direction upon the respondents to issue letter of appointment in Group BC-B forthwith. According to the applicant though select list of 132 successful candidates was published and his name was not in the list, however as many aspirants in the list had opted out, his case should have been considered. Relying on the statements in the original application, it is submitted by Mrs.S.Mitra, learned advocate for the applicant, that though representation was furnished before the Secretary-cum-Controller of Examination, West Bengal Staff Selection Commission on 19th March, 2013, as evident from page 27 of the application, no steps have been taken. Aggrieved this application has been filed.</p>	

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BLR	<p>Mr.G.P.Banerjee, learned advocate for the respondents submits that admittedly the applicant was not in the list of successful candidates. The selection process was of 2012. Since results were published in 2013 and as the applicant has applied before the Tribunal after a lapse of about 6 years, therefore the application is hit by the period of limitation prescribed in Section 21(1) of the Administrative Tribunals Act, 1985.</p> <p>Heard learned advocates for the parties. We find that the selection process took place in 2012. Admittedly, the results were published in 2013. The applicant was not in the select list. Since the applicant was not in the select list, he was not entitled to be considered. As the cause of action, if any, arose in 2013 and the applicant has moved the application beyond the period of limitation prescribed under Section 21(1) of the 1985 Act, hence, no order is passed on this application. Therefore, the application is disposed of.</p> <p>(P. RAMESH KUMAR) MEMBER (A)</p> <p>(SOUMITRA PAL) CHAIRMAN</p>	