

37 22.2.2021

gd/ssd

WPST 83 of 2020
(Through Video Conference)

Jiban Majhi & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharjee,
Senior Advocate with
Mr. Saugata Mitra and
Ms. Ankita Dey, Advocates present in court
..for the Petitioners

Mr. Tapan Kumar Mukherjee,
Senior Advocate with
Mr. Somnath Naskar, Advocate
..for the State present in court

The order dated April 17, 2019 passed by the West Bengal Administrative Tribunal (for short, 'the Tribunal') passed in O.A. No.653 of 2016 is under challenge in the present writ petition.

The writ petition was filed in this court on October 6, 2020, i.e. more than about one and a half years after passing of the impugned order.

The issue raised by the petitioners before the Tribunal was for declaration of result for the post of Group-D staff in exempted category, for which the interviews were held on January 2, 2009. The result thereof was published on January 14, 2010. The advertisement for selection was issued in the year 2006.

Considering the provision of Section 21 of the Administrative Tribunal Act, 1985 as the Original Application was filed by the petitioners before the

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Tribunal more than one year after the declaration of the result of the selection process, the same deserves to be dismissed being barred by limitation.

The Tribunal should not have entertained the O.A. and commented on the merits of the controversy but in any case as has been observed by the Tribunal there was no selection process initiated for exempted category, hence the O.A. was dismissed.

For the reason mentioned above, we do not find any merit in the writ petition and the same is, accordingly, dismissed.

(Rajesh Bindal, J.)

(Aniruddha Roy, J.)

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