

14 07.1.2021

gd/ssd

WPST 95 of 2020
(Through Video Conference)

Manoj Kumar Chatterjee
Vs.
The State of West Bengal and Ors.

Mr. Dipankar Pal, Advocate
..for the Petitioner. Present in Court.

Mr. Raja Saha, Advocate
..for the State. Present in Court.

The grievance of the petitioner is that his prayer regarding interim relief was not considered by the West Bengal Administrative Tribunal (for short 'the Tribunal'). OA 423 of 2020 was filed in November 2020 and when it was listed on 9.11.2020, the same was adjourned for admission hearing to November 25, 2020. The issue raised in OA filed before the Tribunal is regarding selection to the post of Constable (Male) in West Bengal Police. The argument is that delay in consideration of the matter by the Tribunal is causing prejudice to the petitioner as all other selected candidates are being sent for training. In case all the posts are filled up and the petitioner succeeds later on, he will not be given any benefit thereof. As per the result, the last selected candidate in the category of the petitioner got 56 marks and the score of the petitioner

is also the same, hence, he was entitled to be selected.

After hearing the learned counsel for the petitioner, in our opinion, grant of interim relief to the petitioner at this stage by this court may not be appropriate for the reason that the Tribunal has not yet applied its mind on such prayer made by the petitioner. The next date of hearing before the tribunal is stated to be March 15, 2021.

Considering the urgency of the matter, it is directed that the date of hearing fixed by the Tribunal as on March 15, 2021, be preponed to February 01, 2021 and on that date the arguments of the petitioner/applicant before the Tribunal may be heard on grant of interim relief. In case the petitioner will have any grievance against the order to be passed by the Tribunal, he shall be at liberty to avail of his appropriate remedy against the same.

The writ petition is, disposed of, accordingly.

(Rajesh Bindal, J.)

(Aniruddha Roy, J.)

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