

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

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No –OA 212 OF 2016

DR. PRADIP KUMAR MISRA 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;">10</p> <hr/> <p>04.09.2018</p>	<p>For the Applicant : Mr. Asim Hati Mrs. P. Roy Mishra Advocate</p> <p>For the State Respondent: Mr. B.P. Ray Advocate</p> <p>Let affidavit of service, affirmed on 4th August 2018, filed today, be kept on record. Mr. Asim Hati, learned advocate for the applicant submits that though the matter has appeared under the heading “To Be Mentioned”, it may be taken up for hearing to which Mr. B.P. Ray, learned advocate for the respondents does not oppose.</p> <p>In this application, the applicant, a doctor under the West Bengal Health Services, who had joined on 14th January 1991, has prayed for a direction upon the respondent authorities to consider his representation dated 24th September, 2011 praying for allowing his prayer for voluntary retirement of service following Rule 75 (aaa) of W.B.S.R. Part I. Submission is that though reminders were given on 30th December, 2011, on 11th May, 2012</p>	

ORDER SHEET

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>and on 6th July, 2012, those had gone unheeded. Submission is being aggrieved by the said inaction on the part of the respondent, the applicant had moved an application, being O.A. 1408 of 2012, which was disposed of on 12th February, 2013 by directing the Principal Secretary of Health and Family Welfare, Government of West Bengal to dispose of the said application within three months from the date of communication of the order and to inform the decision to the petitioner within four weeks thereafter. It is submitted by Mr. Hati that as in spite of the said direction passed on 12th February, 2013 representations have not been considered, the applicant has filed this original application for implementation of the said order dated 12th February, 2013. On a query it is submitted by Mr. Hati, learned advocate for the applicant that the applicant is not attending his duties on and from 1st January, 2012.</p> <p>Mr. B.P. Ray, learned advocate for the State respondent submits that in view of the order dated 12th February, 2013 if a direction is issued on the Principal Secretary, Department of Health and Family Welfare, Government of West Bengal, now designated as Additional Chief Secretary, Department of Health and Family Welfare, Government of West Bengal, Kolkata, it will be considered.</p>	

ORDER SHEET

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
SCN.	<p>Having heard the learned advocates for the parties and considering the facts and circumstances of the case the original application is disposed of by directing the Additional Chief Secretary, Department of Health and Family Welfare, Government of West Bengal, Kolkata to dispose of the representation dated 24th September, 2011, appearing at page 14 of the original application, by passing a reasoned order to be communicated to the parties within ten weeks from the date of presentation of a copy of the certified copy of this order after giving an opportunity of hearing and after verifying the records.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	