

**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 – O.A. 259 of 2020

**DR. ASISH DASGUPTA 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;">2</p> <hr/> <p>21.09.2020</p>	<p>For the Applicant : Mr. K.C. Gupta, Advocate</p> <p>For the State Respondent: Mr. S. Ghosh, Advocate</p> <p style="text-align: center;">Let affidavit of service filed by Mr. K.C. Gupta, learned advocate-on-record for the applicant, be kept on record.</p> <p style="text-align: center;">At the very outset it is submitted on behalf of the applicant the he is not pressing the prayer for grant of arrear salary and arrear pension with effect from 13<sup>th</sup> January, 2018 and prays leave to file separate application. Submission is that he is pressing the prayer for voluntary retirement with effect from 13<sup>th</sup> January, 2018.</p> <p style="text-align: center;">Mr. S. Ghosh, learned advocate for the State respondents submits that since the issue is covered by the judgement and order dated 12<sup>th</sup> March, 2019, passed in SLP 28608 of 2018 wherein the contention of the State has been upheld, no order may be passed. Moreover, on similar issue matter is pending before the High Court.</p> <p style="text-align: center;">In reply, learned advocate for the applicant submits that in a subsequent judgement passed by the</p>	

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SCN.	<p>Tribunal the contention of the applicant has been upheld.</p> <p>Heard learned advocates for the parties. Let the matter appear under the heading “Admission Hearing” non 21<sup>st</sup> December, 2020.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	