

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. 686 of 2019

DR. ARINDAM CHATTERJEE 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>5</p> <hr/> <p>07.01.2020</p>	<p>For the Applicant : Mr. S. Ghosh, Advocates</p> <p>For the Respondents : Mr. G.P. Banerjee, Advocate</p> <p>For the Principal Accountant: Mr. B. Mitra, General(A&E) West Bengal Departmental Representative</p> <p>In this application, the applicant, - who had joined the West Bengal Health Services on 19th May, 2008 as Medical Officer and now posted at Rampurhat Sub- Divisional Hospital, Birbhum, - has prayed for certain reliefs, the relevant portion of which is as under:</p> <p>“(a) An order do issue directing the concerned respondent authorities to forthwith issue release order in favour of the applicant within a stipulated time period, as his prayer for resignation has been accepted by the Additional Chief Secretary, Department of Health & Family Welfare, Government of West Bengal with effect from 01.11.2017 by an reasoned order dated 06.02.2017</p>	

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	<p>communicated vide No. 1A-429-2017/Part. II/A 780 Dated: Kolkata, Kolkata, 06.02.2019.</p> <p>(b) An order do issue directing the concerned respondent authorities to forthwith issue “Release Order” in favour of your applicant without causing any further delay, and after issuing release order disburse his service benefits such as GPF, Group Insurance, Gratuity proportionately within a stipulated time period.</p> <p>(c) An order do issue directing the concerned respondent authorities to pay interest @ 18% p.a. till the actual date of realization of the G.P.F., Group Insurance and Gratuity amount.”</p> <p>It appears from the order passed by the Additional Chief Secretary, Department of Health & Family Welfare, Government of West Bengal, the respondent no.1, that the resignation of the applicant from government service has been accepted with effect from 1st November, 2017. It is submitted by Mr. S. Ghosh, learned advocate for the applicant that though the resignation has been accepted, as no release order has been issued, the</p>	

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SCN.	<p>applicant is in difficulty and, therefore, the respondents may be directed to issue release order and to disburse the GPF, GIS and other admissible benefits in accordance with law.</p> <p>Mr. G.P. Banerjee, learned advocate for the respondents submits that if directed the respondents shall issue the release order in accordance with law.</p> <p>Mr. B. Mitra, Departmental Representative adopts submission of Mr. Banerjee.</p> <p>We find that the Additional Chief Secretary, Department of Health & Family Welfare, Government of West Bengal, the respondent no.1 has accepted the resignation of the applicant, as evident from page 38 of the Original Application.</p> <p>Having heard learned advocates for the parties, as the resignation of the applicant has been accepted, the application is disposed of by directing the Director of Health Services, Government of West Bengal, Kolkata, the respondent no.2 to issue release order, if not already issued, and to disburse the admissible benefits of the applicant in accordance with law within twelve weeks from the date of presentation of a copy of the certified copy of this order, after compliance of formalities.</p> <p>(S.K. Das) MEMBER (A)</p>	<p>(Soumitra Pal) CHAIRMAN</p>