

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 348 OF 2018**

DR. BASTAB GHOSH 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 |
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| <p>5</p> <hr/> <p>29.06.2018</p> | <p>For the Applicant : Mr. D.N. Ray Learned Senior Counsel</p> <p>For the State Respondent: Mr. A.L. Basu Learned Senior Counsel</p> <p>This application has been filed by Dr. Bastab Ghosh, Assistant Professor, Department of Urology, Bankura Samilani Medical College & Hospital, Bankura praying upon the respondents to accept the letter of resignation dated 7th May, 2018, filed before the Director of Medical Education and Ex-Officio Secretary, Department of Health & Family Welfare, West Bengal.</p> <p>According to Mr. D.N. Ray, Learned Advocate for the applicant that since after tendering his resignation letter the applicant has joined as a Consultant Urologist & Uro-Oncologist in a private hospital in Kolkata and though he has given answer to the 13 point declaration and given an undertaking regarding his resignation from the post of Assistant Professor, and though the issue is covered by several judgements of the Tribunal, the Hon'ble High Court and the Hon'ble Supreme Court, yet</p> | |

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| | <p>till date no decision has been taken by the respondents.</p> <p>Mr. A.L. Basu Learned Senior Counsel appearing on behalf of the respondents submits that since this application has been filed immediately after tendering the letter of resignation and law provides a time for disposing of such application, no order need be passed.</p> <p>Having heard the Learned Advocates for the parties and considering the facts and circumstances of the case, this original application is disposed of by directing the Principal Secretary, Department of Health and Family Welfare, Government of West Bengal, the respondent No. 1 to pass a reasoned order on the letter of resignation dated 7th May, 2018, appearing at page 19 of the application, within a fortnight 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. It is also made clear that the reasoned order shall be communicated within a week from the date of passing the order. At the time of hearing the applicant is at liberty to rely on the judgements in support of his case and the Principal Secretary, Department of Health and Family Welfare, Government of West Bengal, the respondent No.1 in his reasoned order shall deal with the same. It is made clear that we have not gone into the merits of the matter and all points are left open to be dealt</p> | |

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| SCN. | <p>with by the Principal Secretary, Department of Health and Family Welfare, Government of West Bengal, the respondent No. 1. Since the application is disposed of at the stage of admission without calling upon the respondents to file reply, the allegations made are deemed to have been denied.</p> <p style="text-align: center;">Urgent certified copy of this order, if applied for, be supplied to the parties on priority basis.</p> <p>(S.K. Das) MEMBER (A)</p> <p style="text-align: right;">(Soumitra Pal) CHAIRMAN</p> | |