

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – MA 104 of 2023 [OA 786 of 2023]

Dr. Samir Rana -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. M.N. Roy,
Mr. S. Ghosh,
Ld. Advocates.

For the State Respondent : Mr. G.P. Banerjee,
Ld. Advocate.

01
13.12.2023

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

The prayer in this application is for setting aside the Memo. No. 2149 dated 11.12.2023 issued by the respondent no. 3, the Director of Medical Education. It communicates to the applicant that his prayer for resignation has been rejected. The only reason given for such rejection being “acute shortage of faculties under WBMES”.

Since public health is a very important sector, the Tribunal directs the respondents to file a report showing Sanctioned Strength and number of Vacancies, department-wise before the next date of hearing. By simply rejecting the prayer for resignation on the ground of “shortage”, the respondent has not justified such action. It would be rather useful and enlightening, if such shortage of medical personnel is explained by way of figures, department-wise.

Let the matter appear under the heading “**Admission Hearing**” on **21.12.2023**.

Let copy of this order be served upon the Respondent No. 3, the Director of Medical Education, Department of Health & Family Welfare by the Registry.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)