

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No. – MA 17 of 2023 (OA 181 OF 2023)

BISHNUDEO MALLICK - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Mr. Bishnudeo Mallick,
and (Appears in person)
Date of For the State Respondents : Mr. Debabrata Kole,
order Advocates

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22.01.2025

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.

In the order dated 30.09.2024, the respondent No.3, Medical Superintendent-cum-Vice Principal, R.G. Kar Medical College & Hospital was directed to submit a proposal for regularisation of the absent period and for approval of the Finance Department. From a copy of memo No.5039 dated 25.07.2016, addressed by the Medical Superintendent-cum-Vice Principal, R.G. Kar Medical College & Hospital to the Joint Director (Personnel), Directorate of Health Services, it appears that an admissibility report in respect of the applicant along with the original service book was forwarded. From the submission of Mr. Kole, it is clear to this Tribunal that since submission of such a proposal by the MSVP to the Joint Director, till date no proposal has been forwarded to the Finance Department for regularisation of the absent period from 01.11.2002 to 31.05.2009 in terms of Rule 34 of WBSR, Part-I. Since the absent period exceeds more than five years, such regularisation requires the approval of the Finance Department in terms of the extant Rules.

Having observed the above point, the respondent No.2, the Joint Director (Personnel), Directorate of Health Services, is directed to send copies of such a proposal for approval of the Finance Department within two months from the date of communication of this order. Let the matter be reviewed with an update from the respondent No.2, through Mr. Kole, learned counsel on the next date. Let MA 17 of 2023 along with O.A. 181 of 2023 be listed on 22.05.2025 under the heading "Hearing".

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)

SCN.