

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. –OA 731 OF 2023

DR. SOURAV GHOSH - VERSUS - THE STATE OF WEST BENGAL & ORS.

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|---------------------------------------|---------------------------|---|---|
| Serial No. and Date of order | For the Applicants | : | Mr. M.N. Roy, Mr. S. Ghosh, Advocates |
| <u>3</u> 18.04.2024 | For the State Respondents | : | Mr. Subit Kumar Mandal, Advocate |

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 parties, the case is taken up for consideration sitting singly.

Heard learned counsels. Mr. S.K. Mandal, learned counsel for the State respondents has been advised to elaborate before this Tribunal on the words “greater interest of public service” the term used by the respondent authority in rejecting the prayer of the applicant for resignation.

On behalf of the applicant's side Mr. Roy has submitted that this Tribunal in similar cases has passed orders in O.A. 269 of 2023 and O.A. 113 of 2023 and submits that this case, being similar in nature, therefore, appropriate order may be passed. Before consideration of the submission of Mr. Roy, the respondent authority is directed to present a picture of how acceptance of the resignation of the applicant will adversely affect larger interest of public service. Such explanation may be supported with relevant facts and figures.

Let this information be submitted on the next date and let the matter appear under the heading “For Orders” on 20.06.2024.

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

SCN.