

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. – OA 08 of 2019

Dr. Arun Kumar Sasmal -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order
For the Applicant : Mr. U. Dutta,
Ld. Advocate.
For the State respondent : None.

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14.06.2023

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

Mr. A. Mitra, learned advocate appears on behalf of Mr. S. Ghosh, learned advocate-on-record for the State respondents.

The prayer in this application is for a direction to the respondent authority to release his arrears salaries from 07.04.2014 till February 2016. It appears that earlier in another matter, the Tribunal had heard and directed the respondent authority to clear all his admissible dues in OA-1276 of 2002 vide order dated 18.03.2010.

In terms of such direction, it appears that the Superintendent, Siliguri District Hospital informed the Deputy Director of Health Services (Admn.) for regularisation of the leave/absent period of the applicant. In inviting the attention of the Deputy Director of Health Services (Admn.), the Superintendent had asked for suitable direction with regard to his actual rejoining date; whether 07.04.2014 or 01.03.2016 to be treated as his rejoining date.

However, there is no information available as to any action taken by the respondent authority thereafter in regularising the applicant's leave and absent period and releasing all his admissible arrear salaries. In the meantime, the applicant has superannuated with effect from 01.02.2020.

From the above information contained in the correspondence, it appears that the arrear salaries of the applicant has not been cleared due to the clarification sought by the Superintendent regarding his actual date of rejoining. It is therefore the responsibility of the respondent no. 3, the Director of Health Services, Department of Health and Family Welfare, Government of West Bengal to dispose of this matter and comply with the directions of the Tribunal in clearing

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his arrear salaries after ascertaining his actual date of rejoining in the service and thereafter releasing all his admissible arrear salaries. Such action should be completed by the Respondent No. 3, the Director of Health Services, Department of Health and Family Welfare, Government of West Bengal within a period of 12 (Twelve) weeks from the date of communication of this order.

Accordingly, this application is **disposed of.**

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS