

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**The Hon'ble Justice Soumitra Pal, Chairman,
The Hon'ble Sayeed Ahmed Baba, Administrative Member**

Case No. –OA 1332 of 2011

Dr. Satya Priya Pal - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. D. Sen, Mr. A.K. Das, Advocates.
<u>15</u> 27.09.2021	For the State respondents	: Mr. B.P. Roy, Advocate.

At the very outset, Mr. D. Sen, learned advocate for the applicant submits that though OA 1332 of 2011 is not appearing in the cause list, however, as records are in the Court, it may be taken up for hearing on merits to which Mr. B.P. Roy, learned advocate for the State respondents in his usual fairness does not oppose.

In the application, Dr. Satya Priya Pal, the applicant, has prayed for certain reliefs, the relevant portion of which is as under :

“A direction do issue upon the concerned respondent authorities to forthwith withdraw/set aside/cancel the impugned notice dated 15.11.2011 issued by the Superintendent, Contai Sub-Divisional Hospital, Contai, Purba Medinipur, being Annexure-D herein, directing the applicant to vacate the Government Quarter legally occupied by him and further to allow the applicant to resume his duties as a “Medical Officer” in the said Hospital and to command them to act in accordance with law.”

We find that though directions were issued upon the respondents on 13th January, 2012 to file reply, no reply was filed. Thereafter, time to file reply was extended. However, till date no reply has been filed.

It is submitted by Mr. Sen since the applicant has been illegally directed to vacate the Government quarters occupied by him, the

ORDER SHEET

Form No.

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application may be allowed. Further, the applicant may be allowed to resume his duties as Medical Officer in the hospital. On a query it is submitted by Mr. Sen that if liberty is granted, the applicant may file representation before the Principal Secretary, Department of Health and Family Welfare, the respondent no. 1 ventilating his grievances and for redressal of the same.

Mr. Roy submits that since the applicant is illegally enjoying the quarters, no order may be passed. Moreover, the applicant is not entitled to resumption of duties after a long absence.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by granting liberty to the applicant to file representation ventilating his grievances, annexing copies of relevant documents regarding resumption of duty and vacation of quarters, within four weeks from the date of obtaining copy of this order downloaded from the website of the Tribunal. If representation is filed before the Principal Secretary, Department of Health and Family Welfare, Government of West Bengal, the respondent no. 1, the said respondent shall dispose of the same by passing a reasoned order to be communicated to the parties within fifteen weeks after giving opportunity of hearing and after verifying the records. Till reasoned order is passed and communicated status quo as on date be maintained regarding vacation of quarters and service of the applicant.

Rajib

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN