

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 135 of 2023

Khuku Bhattacharya-- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. D. Sarkar, Ld. Advocate.

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

For the Pr. A.G.(A&E), W.B. : Mr. B. Mitra, Ld. Departmental Representative.

07
27.01.2025

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.

The applicant had joined the service as a Staff Nurse in 1965, but due to her ailing husband, she discontinued her service with effect from 15.09.1981. It also appears from a Memo. No. 1038 dated 14.01.1993 that she had applied for voluntary retirement and her service book and other documents were submitted before the Principal Accountant General (A&E), West Bengal. It also appears from the recent correspondence No. 37/1(1) dated 04.02.2020, the Directorate of Health Services had asked the Medical Superintendent-cum-Vice Principal, Medical College & Hospital to take suitable action with regard to her representation for retiral benefits.

In terms of such direction, MSVP by Memo 3048 dated 12.03.2024 has submitted the re-constructed service book along with relevant documents before the Director of Health Services (Nursing). In this correspondence, the MSVP has pointed out that her absence from duty from 17.09.1981 to 31.12.2008 has to be regularised before settlement of her retirement benefits and after re-fixation of her pay under ROPA 1998 and ROPA 2009.

From the above correspondence, it has now become clear to the Tribunal that the matter is lying with the Directorate for taking a decision with regard to the applicant's regularisation of the absent period from 17.09.1981 to 31.12.2008. Therefore, the Tribunal passes a direction to the respondent No. 4, the Deputy Director of Health Services (Nursing) to expedite the process of regularisation of her absence period as noted above and settle her admissible retirement benefits, preferably within the next four months from the date of communication of this order.

Let the matter appear under the heading "For Orders" on 09.06.2025.

SS/HS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)