

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 19 OF 2023

SOUMIK SARKAR - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

02
07.02.2023

For the Applicant : Mr. Manujendra Narayan Roy
Advocate

For the State respondents : Mr. Goutam Pathak Banerjee
Advocate

For the Princiapl Accountant General : Mr.Biswanath Mitra
(A&E) West Bengal (Departmental Representative)

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

In this application, the prayer is for a direction upon the respondent to consider his representation dated 02.09.2022 for acceptance of his voluntary retirement from service and disbursement of pension and retiral benefits. Submission of leaned counsel for the applicant is that the primary reason for seeking such voluntary retirement is due to the fact that his daughter suffers from serious psychiatric problems with severe depression and suicidal tendency. Since, the applicant is also a widower, the entire responsibility of looking after the daughter is upon him. In this regard, the applicant had furnished a representation before the Principal Secretary of the department on 02.09.2022 requesting for acceptance of his voluntary retirement from service under the relevant rules. Since he has already completed twenty years of continuous service, he also prays for a direction for pension and other retiral benefits.

ORDER SHEET

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THE STATE OF WEST BENGAL & ORS.

Further, it is also submitted that there is no departmental proceeding, vigilance and any criminal case pending against the applicant.

Mr.G.P.Banerjee, learned counsel appearing on behalf of the State authorities submits that if a direction is given to consider his representation, the same will be considered as per the rules.

After hearing the submissions of the learned counsels and considering the nature of the representation, the application is disposed of by directing the respondent No. 2, the Principal Secretary, Department of Correctional and Administration to consider the representation of the applicant dated 02.09.2022 and dispose of the same as per the rules and in particular, the reasons for voluntary retirement given in the application within a period of two months from the date of communication of this order.

In the event of his voluntary retirement application being accepted, the respondent is also directed to release his admissible retirement benefits in favour of the applicant expeditiously.

Accordingly, the application is disposed of.

BLR

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