

**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 196 of 2025**

**DR. AVIJIT KUMAR MONDAL -- VERSUS – The State of West Bengal & Others.**

Serial No.	For the Applicant	:	Ms. Maitrayee Chatterjee,
and			Learned Advocate
Date of			
order	For the State Respondents	:	Mr. Gautam Pathak Banerjee,
			Mr. Gaurav Halder,
			Learned Advocates

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19.06.2025

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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

In this application, the applicant has prayed for a direction to the respondent authorities to set aside or cancel the reasoned order dated 11.02.2025 passed by the Director of Health Services and relieve the applicant from the liability of paying the electricity charges for the quarter and pay his House Rent Allowance along with interest.

The applicant, a General Duty Medical Officer (GDMO) joined service on 11.03.2016 under the Chief Medical Officer of Health, Murshidabad and posted at Khargram Rural Hospital, Murshidabad on 15.03.2016. On 11.03.2024, he was released from the said hospital for availing Trainee Reserve facility. On 13.03.2024 he joined his PG course as a Trainee in MPH (Epidemiology) at All India Institute of Hygiene and Public Health, Kolkata). When he left Khargram Rural Hospital, by his letter dated 05.04.2024, he requested the B.M.O.H. to inspect the Quarter No.'D-1', where he was residing for "few days". The Block Medical Officer of Health, Khargram Rural Hospital issued him a letter dated 01.06.2024 directing him to submit electric clearance document of the quarter, vacate the same and hand over the government residential staff quarter No.'D-1'. A representation dated 19.09.2024 was submitted by the applicant to the respondent No.5, the Chief Medical Officer of Health, Murshidabad stating that he was not allocated any quarter, but only for few days he had "enjoyed the quarter 'D-1' due to some unavoidable circumstances". Therefore, he is not liable to pay the pending electricity charges. On 19.09.2024 another representation was also submitted by the applicant to the respondent No.2, the Director of Health Services to this effect. Since the representations of the applicant were not considered by the authorities, the applicant filed O.A. No.08 of 2025 before this Tribunal. The Tribunal by its order dated 28.01.2025 disposed of the said original application by directing the Director of Health

**ORDER SHEET**

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Services to consider the prayers of the applicant as per rules within a reasonable period of time. In compliance of the Tribunal's order, the Director of Health Services passed a reasoned order which was communicated to the applicant by memo No.4828 dated 11.02.2025 of the Assistant Director of Health Services (P&E).

The reasoned order clearly states that the applicant was allotted quarter 'D-1' in the hospital premises since 11.03.2016. It is the well settled law that the allottee of the said quarter will be liable to pay the electricity charges. It is of no material consequence, whether the allottee resides in the quarter or not. It is also evident that House Rent Allowance had been deducted regularly from the salary of the applicant since his joining, which he did not protest.

From the above observations, the Tribunal comes to the conclusion that the respondent authority was correct in its decision. The ground of such deduction of House Rent Allowance was valid. Since the applicant was allotted this residence, whether he resided in it or not is not the relevant question. By such allotment in his name, he is legally bound to clear the electricity dues. Therefore, the applicant is directed to clear the outstanding amount of electricity bills, if not paid already. With the above observation and direction, the application is disposed of.

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

SCN.