

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**HON'BLE JUSTICE SOUMITRA PAL, HON'BLE CHAIRMAN.**

Case No. – OA 198 of 2021.

**DR. BROJEN CHOUDHURY- VERSUS - THE STATE OF WEST BENGAL & ORS.**

|                                 |                              |  |
|---------------------------------|------------------------------|--|
| Serial No. and<br>Date of order | For the Applicant            | : Mr. M.N. Roy,<br>Mr. S. Ghosh,<br>Advocates. |
| <u>3</u><br>30.07.2021          | For the State<br>Respondents | : Mr. G.P. Banerjee,<br>Advocate.              |

The matter is taken up by the single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24<sup>th</sup> December, 2020 and 456-WBAT/2J-15/2016 dated 16<sup>th</sup> July, 2021 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunal Act, 1985.

The matter has come up under the heading “Reply/Rejoinder and Objection”. I find that though by order dated 19<sup>th</sup> April, 2021 directions were issued upon the respondents to file reply, no reply has been filed.

Mr. M.N. Roy, learned advocate for the applicant referring to the reasoned order dated 7<sup>th</sup> February, 2021 submits that it is not in consonance with the directions contained in the order dated 14<sup>th</sup> September, 2020 passed in OA 399 of 2020 in the case of the applicant himself. Relying on the judgement dated 18<sup>th</sup> December, 2020 passed in WPST 86 of 2020 (Dr. Debangshu Ghosh – vs- The State of West Bengal & Ors) submission is pandemic cannot be a bar for refusing to accept the resignation. Submission is appropriate order may be passed setting aside the order under challenge.

Mr. G.P. Banerjee, learned advocate appearing on behalf of the State respondents submits that for reasons beyond control, no reply could be filed on behalf of the State. Submission is the order under challenge is well reasoned and as more doctors are needed for tackling

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THE STATE OF WEST BENGAL & ORS.

the pandemic situation, no order may be passed.

Heard learned advocates for the parties. Let the matter appears as “For Orders” on 6<sup>th</sup> August, 2021.

(SOUMITRA PAL)  
CHAIRMAN.

Skg.

WEST BENGAL ADMINISTRATIVE TRIBUNAL