

ORDER SHEET

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 - 250 of 2024

Dr. Bazlul Islam - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. G. Mustafa,
Learned Advocate.

02
25.09.2024.

For the State Respondents : Mr. R.K. Mondal,
Learned Advocate.

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 has filed this application praying for setting aside the impugned reasoned order dated 15.04.2024, passed by the Director of Health Services. In terms of a direction of Hon'ble High Court in WPST 107 of 2021, such reasoned order was passed by the Director of Health Services. The applicant has responded to the reasoned order by furnishing a letter dated 27.04.2024.

In short, the applicant, a Medical Officer posted in the districts was issued show cause letters being on unauthorised absence. The reasoned order explains in details the dates on which he was on such unauthorised absence which was enquired by an enquiry committee. The enquiry committee had submitted its findings in a report dated 17.01.2024, corroborating the allegations of his unauthorised absence and also questioning the authenticity of some of the documents presented by the applicant. Accepting the report of the enquiry committee, the Director of Health Services passed an order for recovery of Rs. 13.42 lakhs drawn by the applicant as salary which was not admissible to him. Such overdrawn amount is to be recovered from the applicant at the time of settlement of his retirement dues.

Mr. Mustafa, learned counsel argues that the applicant was

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never served these so-called show cause notices. Further, Dr. Ramakanta Majumder, his supervisory officer had issued a letter stating his satisfaction that there was no instance of unauthorised absence. Therefore, the question of overdrawal as pointed out by Audit report of 01.09.2016, is not valid.

Let submission of Mr. Mondal be heard on the next date. Let the matter appear under the heading '**Hearing**' on **17.02.2025**.

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

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