

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 322 OF 2021

DR. SANJOY BHATTACHARYA - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

For the Applicant

: Mr. Gokul Chandra Chakraborty
Mrs. Sunita Agarwal
Advocates

06
18.04.2022

For the State respondents

: Mr. Sankha Ghosh
Advocate

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

Mr. G. C. Chakraborty, learned advocate for the applicant submits that since the matter relates to grant of voluntary retirement and consequential payment of pension and as in spite of direction, no reply has been filed on behalf of the State respondents, the application may be allowed.

Mr. S. Ghosh, learned advocate appearing on behalf of the State respondents relying on interim order passed on 3rd March, 2020 in W.P.S.T. 193 of 2019 (The State of West Bengal and Others vs. Dr. Aniruddha Ghora) submits as the issues in writ petition before the High Court and the issue involved herein are similar, the matter may be adjourned as the matter is pending before the High Court.

Mr. Chakraborty, submits that the instant application relates to grant of voluntary retirement and not with regard to interpretation of Rule 75 and its various sub rules of West Bengal Service Rules Part-I pending before the High Court.

Since in spite of direction passed on 24th September, 2021 no reply has been filed, as a last chance time to file reply is extended till 6th May, 2022.

ORDER SHEET

Form No.

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Vs.

Case No. : **OA 322 OF 2021**

THE STATE OF WEST BENGAL & ORS.

Matter to appear under the heading “For Order” on 11th May, 2022. Rejoinder, if any, in the meantime.

The Director of Medical Education, Department of Health and Family Welfare, Government of West Bengal, Kolkata, the respondent no.2 is directed to take steps and instruct Mr.Ghosh for preparation of filing of reply within the date as directed. If no reply is filed, appropriate order will be passed.

Let a copy of the order dated 3rd March, 2020 passed in W.P.S.T. 193 of 2019 filed on behalf of the State respondents be kept on record.

(SOUMITRA PAL)
CHAIRMAN

BLR