

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 346 of 2023

Dr. Enamul Hoque -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. A. Hati,
Ld. Advocate.

For the State Respondent : Mr. G.P. Banerjee,
Ld. Advocate.

02
12.12.2023

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.

Affidavit of service filed be kept on record.

The applicant having prayed for voluntary retirement prays for a direction to the respondent authorities to consider this application and allow him to retire on voluntary basis. Submission of Mr. Hati is that since 2013, several representations were submitted before the respondent authorities but till date neither these prayers have been accepted nor considered.

Submission of Mr. Banerjee is that though it is a fact, such representations have been submitted but the applicant has also continued to do his duty. As per that Rule, if any petition for voluntary retirement is not considered within three months by the respondent authority, it has to be assumed that such prayer has not been considered.

Heard the learned counsels, the matter is admitted. Let a reply be filed on behalf of the respondents by the next date of hearing stating the response of the respondent authorities against his representations for voluntary retirement.

Let the matter appear under the heading “**Hearing**” on **11.04.2024**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM