

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 401 of 2024

Sri Amiya Kumar Mitra @ Amiya Mitra -- VERSUS – The State of West Bengal & Others

Serial No. and Date of order	For the Applicant	: Mr. C. Sarkar, Ld. Advocate.
<u>01</u> 10.09.2024	For the State Respondents	: None.
	For the Principal Accountant (A&E), West Bengal	: Mr. B. Mitra, Departmental Representative.

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.

Affidavit of service filed be kept on record.

The applicant has prayed for a direction to the respondent authorities to take decision relating to his prayer for voluntary retirement w.e.f. 03.01.2012. Submission of Mr. Sarkar, learned counsel for the applicant is that way back on 02.01.2012, the applicant had furnished a prayer requesting for acceptance of voluntary retirement. Copy of such prayer available in this application shows that such prayer was addressed to the Superintending Engineer, State Highway Circle No. VI, P.W(Roads) Directorate, Midnapore. The applicant had worked as a 'Work Guard' and due to physical ailments, he could not continue his duties from 02.01.2012. The fact of the applicant having submitted such a prayer is also evident from a correspondence made by the Superintending Engineer to the Chief Engineer (HQ), Establishment Branch, Khadya Bhavan vide Memo. No. 19/E-31 dated 06.01.2023 mentioning service details of the applicant. The Superintending Engineer had requested for taking suitable action in the prayer for voluntary retirement. Available in this application is also copy of another representation furnished by the applicant on 18.08.2023 before the

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same Superintending Engineer. Submission of Mr. Sarkar is that though the prayer was furnished in 2012 which was partly responded in 2023 but final decision has not been taken by the competent authority till date.

The respondents, in particular, respondent no. 2, the Chief Engineer (HQ), P.W(Roads) Directorate (Civil Wing), Khadya Bhavan is directed to have himself represented before this Tribunal on the next date with a status report on the action taken in the matter relating to voluntary retirement of the applicant.

Matter is admitted.

Matter to appear under the heading 'Hearing' on 15.01.2025.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

S.M.