

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 - 401 of 2024

Amiya Kumar Mitra @ Amiya Mitra - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

02
15.01.2025

For the Applicant : Mr. Chirantan Sarkar,
Learned Advocate.

For the State : Mrs. Sonali Mitra,
Respondents Learned Advocate.

For the Pr. A.G.W.B. Mr. Biswanath Mitra.

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 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 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.

Having heard the submissions of the learned counsels and considering the facts and circumstances of this case, this application is disposed of by directing the Respondent No. 2, Chief Engineer (HQ), P.W.(Roads) Directorate to examine the matter relating to voluntary retirement of the applicant within three months from the date of communication of this order by taking the decision and communicating the same to the applicant two weeks thereof. The application is disposed of.

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