

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 – 438 of 2025

DR. SIDDHARTHA DAS - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

02
04.09.2025

For the Applicant : Mr. S. Bhattacharjee,
Learned Advocate.

For the State : Mr. G.P. Banerjee,
Respondents 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.

Affidavit of service filed, be kept with the record.

The applicant has filed this application praying for a direction upon the state respondents to withdraw the impugned order of suspension No. 536 dated 23.05.2022 issued by the Joint Secretary, Health & Family Welfare Department. Mr. Bhattacharjee refers copy of a representation filed by the applicant and submits that the prayer for review be considered in terms of Notification 9266-F(P) dated 16.11.2012.

In terms of this Notification, a Committee headed by the Addl. Chief Secretary, Finance (Revenue) Department is required to review the case of suspension orders to determine whether there are sufficient grounds for continuation of such suspension orders. The same Notification also required the Committee to review suspension orders within 90 days from the date of suspension followed by further reviews after 180 days. From the records, the

ORDER SHEET

Form No.

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Tribunal finds that, although, the applicant was suspended on 23.05.2022, but despite lapse of more than 90 days, such review has not been done.

With this observation the Tribunal disposes of this application by directing the Respondent No. 3, the Director of Health Service, Health & Family Welfare Department to follow the Notification No. 9266 dated 16.11.2012 and review the suspension order No. 536 dated 23.05.2022 issued by the Joint Secretary, Health & Family Welfare Department and examine the representation and take a suitable decision as per Rules within three months from the date of communication of this order. The decision be communicated to the applicant two weeks thereafter.

The application is disposed of.

SCN.

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