

ORDER SHEET

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present : HON'BLE JUSTICE SOUMITRA PAL, HON'BLE CHAIRMAN.

Case No. – OA 459 of 2022.

DR. CHANDRANI MALLIK -Versus- THE STATE OF WEST BENGAL & ORS.

Serial No. and  
Date of order

3  
12.8.2022

For the Applicant : Mr. M.N. Roy,  
Mr. S. Ghosh,  
Mr. A. Mitra,  
Advocates.

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

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 496-WBAT/1E-08/2003 (Pt.-II) dated 4<sup>th</sup> August, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

Pursuant to the direction of the learned Registrar, Mr. G.P. Banerjee, learned advocate had appeared on behalf of the State respondents. Today he also appears on behalf of the State respondents. The learned Legal Remembrancer, West Bengal is directed to regularise the appointment of Mr. Banerjee.

In this application Dr. Chandrani Mallik, the applicant who is an Assistant Professor, Department of Radiotherapy, I.P.G.M.E & R, Kolkata has prayed for certain reliefs, the relevant portion of which is as under :-

*“a) An order do issue directing the concerned respondent authorities to forthwith issue relieve order alongwith all dues in favour of the applicant after accepting her resignation letter, so made by her on 07.06.2022 with effect from 07.07.2022 before The then Secretary to the Government of West Bengal, Health & Family Welfare Department (now re-designated as Principal Secretary) as well as before The Director of Medical Education & Ex-officio Secretary, to the Government of West Bengal, Department of Health & Family Welfare, within a stipulated time period.*

*b) An order do issue directing the concerned respondent*

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*authorities to forthwith issue "Relieve Order" in favour of your applicant alongwith all dues without causing any further delay as the applicant has completed the statutory notice period in the meantime and undertakes to comply with all necessary formalities, required for issuance of such "relieve order".....".*

Mr. M.N. Roy, learned advocate for the applicant submits that since the applicant has tendered her letter of resignation dated 7<sup>th</sup> June, 2022 from the post of Assistant Professor along with 13 point declaration, the respondents may be directed to consider the same.

Mr. G.P. Banerjee, learned advocate appearing on behalf of the State respondents submits on instruction that as the applicant has not been performing her duties since 31<sup>st</sup> January, 2015 and as she has not complied with the stipulations contained in the circular dated 15<sup>th</sup> September, 2021, no order may be passed.

Heard learned advocate for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Principal Secretary to the Government of West Bengal, Department of Health and Family Welfare, - the respondent no. 2 to give a reply to the letter of resignation dated 7<sup>th</sup> June, 2022, being annexure 'C' to the application along with 13 point declaration to the applicant within eight weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal after considering the relevant provisions and circulars.

(SOUMITRA PAL)  
CHAIRMAN.

Skg.

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