

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 - 480 of 2024**

**Dr. Debasish Boral - Vs - The State of West Bengal & Ors.**

Serial No. and

Date of order

For the Applicant : Mr. G.P. Banerjee,  
Ms. A.P. Banerjee,  
Learned Advocates.

01  
11.11.2024.

For the State Respondents : None.

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.

Despite service, none has appeared on behalf of the state respondents. The applicant was selected by the Directorate of Medical Education through its notice dated 20.12.2023 to undergo 6 (six) months' training course on USG "The Fundamentals in Abdomino Pelvic-Ultrasonography; Level one for MBBS Doctors"- under PC & PNDDT, (Six Months Training) Rules, 2014. Since he was not allowed to join, the Tribunal passed a direction in OA 229 of 2024 directing the Dy. Director of Health Services (Admn.) to reconsider its decision. The Dy. Director passed a reasoned order regarding the following :-

*“Now therefore, releasing the petitioner from his present place of posting would impede public services and the petitioner has chosen to pursue a course which does not fall under the purview of Super Speciality Disciplines, the undersigned regrets to inform that the prayer of the petitioner is hereby rejected after reconsideration.”*

Submission of Ms. Banerjee is that despite being selected the applicant was not allowed to join the course, whereas from the same notice Dr. Somnath Ghosh and Dr. Prasenjit Sarkar appearing at sl. No. 2 & 4 were allowed to proceed on study leave to pursue the same course

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Form No.

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**THE STATE OF WEST BENGAL & OTHERS.**

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by order dated 15.01.2024 and 29.01.2024.

The matter is admitted. Let a copy of this order be communicated to the respondent no. 2, Director of Health Services advising him to have himself represented through a counsel on the next date of hearing. The applicant's side is directed to communicate the copy of this order.

Let the matter appear under the heading Order on **11.12.2024**.

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

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