

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. - OA 536 OF 2020

RAM CHANDRA MURMU - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. M. Karim, Mr. J. C. Mondal, Advocates
<u>02</u> 27.01.2021	For the Respondent Nos. 1, 2, 4 & 5	: Mr. A Datta, Departmental Representative
	For the Respondent No.3	: Mr. B.P. Ray, Advocate

The matter is taken up by the single Bench pursuant to the notification no.949-WBAT/2J-15/2016 dated 24th December, 2020 issued in exercise of the powers conferred under sub-Section (6) of Section 5 of the Administrative Tribunals Act, 1985.

In this application, the applicant, Ram Chandra Murmu, - a Group 'D' staff under the District Magistrate, Howrah, whose service was placed before the Land and Land Reforms Department, Government of West Bengal, - has prayed for several reliefs, the relevant portion is as under:

- a) An order directing the respondents to cause the applicant to be allowed to retire on medical ground since already declared as 'medically unfit for duty' since being under totally paralytic condition in favour of due pension and pensionary benefits;
- b) An order directing the respondents to dispose of the application / representation dated 08.09.2020 for due pension and pensionary benefits made in the interest of justice;"

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SCN.

It is submitted by Mr. M. Karim, learned advocate for the applicant that since the applicant, as evident from a memo dated 16th November, 2016, has been declared “medically unfit for duty” by a Board consisting of doctors, appropriate direction may be passed. Though a representation dated 8th September, 2020 was furnished before the Additional District Magistrate and Land and Land Reforms Officer, Howrah, the respondent no.4, no steps have been taken. Aggrieved, this application has been filed.

Mr. A. Datta, the Departmental Representative of Land and Land Reforms Department submits that if directed, the respondent no.4 shall take a decision in accordance with law.

Heard Mr. B.P. Ray, learned advocate for the Collector and District Magistrate, Howrah, the respondent no.3.

Having heard the parties and considering the facts and circumstances of the case, particularly the memo dated 16th November, 2016, wherefrom it is evident that the applicant was declared that “Paraparesis medically unfit for duty” by a Board of doctors, the application is disposed of by directing the Collector and District Magistrate, Howrah, the respondent no.3, to pass a reasoned order regarding retirement of the applicant on medical ground by passing a reasoned order to be communicated to the parties within eight weeks from the date of communication of this order, downloaded from the internet/website, in the light of the memo dated 16th November, 2016 appearing at page 33 of the application.

(SOUMITRA PAL)
CHAIRMAN