

**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 551 OF 2024**

**MD. SIRAJUL ISLAM - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicant : Ms. D. Ghosh,  
and Advocate  
Date of order For the State Respondents : None

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20.11.2024

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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

Let affidavit of service filed be kept on record.

The applicant has prayed for setting aside the impugned order No.3184 dated 17.05.2024. By this order, the Deputy Director of Health Services (Admin.) informed the applicant that his prayer for study leave has been regretted. Earlier the applicant on 11.03.2024 has furnished an application for sanction of study leave for M.S.(General Surgery) before the Director of Health Services in proper format which was received by the respondent and acknowledged.

After perusal of the impugned rejection order for study leave, it is understood that the only reason for regret given by the respondent authority is that it has already allowed 489 Medical Officers of different cadres to pursue different Post Graduate courses. Accordingly, release of more Medical Officers to undergo study leave “will hamper the rendering of patient care service as well as public interest.”

The matter is admitted.

Let the matter appear under the heading “Hearing” on 19.12.2024. Reply/ Rejoinder, if any, in the mean time.

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

SCN.