

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 553 of 2024.

ACHINTYA KUMAR SARKAR- VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

01
20.11.2024

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

For the State Respondent : None.

For the Principal Accountant General (A & E) W.B. : Mr. B. Mitra,
Departmental representative.

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 today be kept on record.

The applicant worked as Assistant Commissioner has prayed for a direction to the Respondent authorities to allow him to retire voluntarily from service for which prayer was furnished by him dated 28.01.2021. From the copies available in this application, the Tribunal observes that the applicant had furnished a representation before the Commissioner, Commercial Taxes on 28.01.2021 praying for voluntary retirement.

The applicant in his representation had narrated the nature of his illness and family compulsion which restricted him from attending office. Since he did not receive any response to his prayer for voluntary retirement, the applicant submitted several reminders to the Respondent authorities. A correspondence No. 2668 dated 24th April, 2024 communicated by the Senior Joint Commissioner of Revenue (H.Q.) addressed to the applicant reveals that a reply was yet to be furnished by the applicant giving details of his family members, who are dependent on him. By this correspondence, it is also understood that the applicant was advised to furnish a declaration to the effect that none of his family members will claim for an employment. Attention is also drawn to a reply of the applicant dated 26.4.2024 in

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which he clearly states that none of his family will claim any employment or service.

Mr. S. Bhattacharjee has appeared on behalf of the applicant.

The matter is admitted.

Let the matter appear under the heading "Hearing" on 15.4.2025.

Reply and rejoinder, if any, in the meantime.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A)

SkG/SM.