

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

**Present-**

**The Hon'ble Justice Soumitra Pal, Chairman**

**The Hon'ble Sayeed Ahmed Baba, Administrative Member**

**Case No. – OA 609 of 2021**

**DR. NILANJAN DATTA - VERSUS - THE STATE OF WEST BENGAL & ORS.**

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|---------------------------------|---------------------------|---|
| Serial No. and<br>Date of order | For the Applicant         | : Mr. B. Roy,<br>Advocate.                          |
| <u>2</u><br>01.10.2021          | For the State respondents | : Mr. G.P. Banerjee,<br>Mr. S. Ghosh,<br>Advocates. |

Affidavit of service filed be kept on record.

In the application Dr. Nilanjan Datta, the applicant has prayed for several reliefs. The relevant portion which is under :

*“ 6.1 An order directing the Respondent authorities to accept the resignation letter dated 18.01.2019 submitted by the applicant to the Superintendent of Dinhata S.D. Hospital, Cooch Behar and issue No-objection certificate with immediately, without arbitrarily delaying the matter.*

*6.2 An order directing the Respondent authorities to immediately comply with any/ all procedural formalities as required under Rule 34A(2) of the West Bengal Civil Services Rules and under any other statutes, rules and regulation and issue the no-objection certificate to the applicant.”*

It appears that the applicant had joined as Medical Officer, Dinhata S.D. Hospital, Cooch Behar on 29<sup>th</sup> August 2016. It has been stated that as he has been selected by the Steel authority of India Limited, though an application for resignation dated 18<sup>th</sup> January, 2019 was submitted before the Superintendent Dinhata S.D. Hospital, Cooch Behar it has not been accepted. Thereafter, the

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applicant by email dated 14<sup>th</sup> August, 2021 prayed for acceptance of resignation before the Secretary, Department of Health & Family Welfare, West Bengal, the respondent no. 1. Since the application for resignation has not been accepted, aggrieved, the original application has been filed.

Mr. B. Roy, learned advocate for the applicant submits since the resignation letter has been submitted before the respondent authorities, the respondents may be directed to consider the same.

Mr. G.P. Banerjee, learned advocate appearing on behalf of the State respondents submits, if directed, the respondent authorities will consider the letter of resignation in accordance with law.

Having heard the learned advocate for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Joint Director of Health Services (Administration), Government of West Bengal, the respondent 2, to dispose of the letter of resignation dated 18<sup>th</sup> January, 2019, being annexure 'D' to the application, by passing a reasoned order to be communicated to the parties within 15 weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal, after giving an opportunity of hearing and after verifying the records.

(SAYEED AHMED BABA)  
MEMBER (A)

(SOUMITRA PAL)  
CHAIRMAN

HS/AKP