

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 643 OF 2021

DOLI BHATTACHARYA – VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr. Manujendra Narayan Roy, Mr. Sukdeb Sarkar, Advocate
<u>4</u> 27.07.2022	For the State Respondent	:	Mr. Sankha Ghosh, Advocate

As prayed for by Mr. Manujendra Narayan Roy, learned advocate for the applicant, leave granted to add the Director of Health Services, Department of Health and Family Welfare, Government of West Bengal as a party respondent and to correct prayer 10(b) of the application in course of this day.

In this application, Smt. Doli Bhattacharya, the applicant, - a Health Worker (Auxiliary Nurse-cum-Midwife) under the Directorate of Health Services, Government of West Bengal, - has prayed for certain reliefs, the relevant portion of which is as under:

- “a) An order do issue directing the respondent authorities to grant voluntary retirement to the applicant after considering her disability to continue with the Government job due to ill health condition and also to release consequential benefits arising out of her service with the interests @ 18% per annum accrued thereon forthwith.*
- b) An order do issue directing the respondents to consider and dispose of the representation dated 05/02/2021 by passing a reasoned order thereto within a specific period of time and to communicate the same to the applicant forthwith.*
- c) An order do issue directing the respondents to produce all records including the order of the Medical Board before this Hon'ble*

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THE STATE OF WEST BENGAL & ORS.

Tribunal for effective adjudication of the matter forthwith.”

The applicant was appointed by an order dated 28th April, 1983 and joined the post on 1st June, 1983 and continued to work till 15th August, 2011 and thereafter, she is not attending office.

Mr. Roy submits since the applicant is not attending her duties from 15th August, 2011 and as the respondents have not considered her application dated 12th November, 2009, and the representation dated 5th February, 2021 praying for voluntary retirement being Annexure “A-10” to the application and the outcome of the medical examination of the medical Board, as directed by the Block Medical Officer of Health, Domjur Rural Hospital, Howrah, the respondent no.5, has not been intimated, appropriate order may be passed directing the respondents to consider the same.

Mr. Sankha Ghosh, learned advocate appearing on behalf of the State respondents submits if directed, the respondent authorities will consider the application for voluntary retirement in accordance with law.

Having heard the learned advocates for the parties and considering the facts, circumstances of the case, and as prayed for on behalf of the applicant, the application is disposed of by directing the Director of Health Services, Department of Health and Family Welfare, Government of West Bengal, the respondent no. 1(A) to dispose of the representations dated 12th November, 2009 and 5th February, 2021 by the applicant praying for voluntary retirement by passing a reasoned order to be communicated to the parties within a period of fifteen 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 and also after medical examination of the applicant, if required.

SCN.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN