

**ORDER SHEET**

**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 689 OF 2023**

**DR. HARICHARAN RAY - Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and  
Date of order

For the Applicant : Mr.A.R.Mukherjee  
Advocate

04  
03.07.2024

For the State Respondents : Mrs.Sunita Agarwal  
Advocate

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.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

The applicant has prayed for a direction to the respondent authorities to release the benefits arising out of MCAS of 16 and 25 years which the applicant claims to be entitled for the years 2007 and 2016. By filing a representation before the respondent authority on 12.02.2022, the applicant has informed that since the charge-sheet against him has been set aside by the Tribunal, there is no impediment to sanction such benefits to him. A reasoned order passed by the Director of Medical Education on 16.05.2018 had indicated that a disciplinary proceeding is being “contemplated”, but later one charge sheet was issued to the applicant which was quashed and set aside by this Tribunal. Since then, the applicant is clear from any disciplinary proceedings nor is there any vigilance inquiry against him.

In view of the facts as noted above, the Tribunal advises the respondent authorities, the respondent No. 2(iii) the Director of Medical Education to consider his prayer for 16 and 25 years of MCAS as per

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rules within a period of three months from the date of communication of this order.

Accordingly, the application is disposed of.

**(SAYEED AHMED BABA)**  
**OFFICIATING CHAIRPERSON AND MEMBER (A)**

BLR