

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-711 of 2021

Snehansu Sinha Roy - VERSUS – The State of West Bengal and Others.

Serial No. and Date of order	For the Applicant	: Mr. G.P. Banerjee Advocate.
		: None.
<u>02</u> 17.12.2021	For the State Respondents	: Mr. S. Ghosh, Advocate.

Affidavit of service filed today be kept on record.

In this application, Snehansu Sinha Roy, who had joined as Constable in West Bengal Police at State Armed Police, 9th Battalion, Nadia on 21st December, 2002 and who had taken Earned Leave with effect from 24th August, 2014 due to his mother's serious illness and for treatment and has stated that is not possible to join service after availing the Earned Leave and had submitted an application on 16th April, 2015 before the Superintendent of Police, Murshidabad, the respondent no. 3 for granting retirement on voluntary basis, has prayed for certain reliefs, the relevant portion of which is as under :

“(a) A mandatory direction do issue upon the concerned respondent authorities, particularly upon the Superintendent of Police Murshidabad Police District, the respondent no. 3 herein, to forthwith consider and dispose of the prayers of the applicant dated 16th April, 2015 and following thereto dated 12th August, 2021 for voluntary retirement from service, being Annexure-‘A’ and ‘B’ herein and to command the to act strictly in accordance with law.”

Heard Mr. G.P. Banerjee, learned advocate for the applicant and Mr. S. Ghosh, learned advocate for the State respondents. It appears that the applicant on 16th April, 2015 had filed a representation before the respondent no. 3 praying for voluntary retirement. On 28th

ORDER SHEET

Snehansu Sinha Roy

Form No.

Vs.

Case No. **OA-711 of 2021.**

The State of West Bengal and Others.

June, 2021, the respondent no. 3 had issued “Warning Notice to join his duty” as evident from Annexure-B to the application. Again on 12th August, 2021, the applicant had prayed for voluntary retirement citing personal reasons. It was followed by memo dated 6th June, 2021 acknowledging the application for voluntary retirement and directing him to join immediately as evident from page 11 of the application. It was followed again by “3rd Warning Notice to join Government duty” issued by the said respondent. Since the applicant has abstained from duties since 2014, the application is disposed of by granting liberty to the applicant to rejoin. After the applicant rejoins the respondent no. 3 shall consider his application for voluntary retirement from service within eight weeks and shall pass a reasoned order to be communicated to the applicant after giving an opportunity of hearing and after verifying the records.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN

HS/SS