

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 774 OF 2022

**DR. CHANDRANI MALLIK - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicant : Mr. Sankha Ghosh,  
and Advocate  
Date of For the State Respondents : Mr. Gautam Pathak Banerjee,  
order Advocate  
4  
12.04.2023

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 parties, the case is taken up for consideration sitting singly.

In terms of the order in *W.P.S.T. 101 of 2022*, the Hon'ble High Court upheld the order dated 12.08.2022 of the Tribunal in *O.A. 459 of 2022 : Dr. Chandrani Mallik Versus The State of West Bengal & Ors.* The Tribunal had directed the respondent authority to give reply to the letter of resignation dated 7<sup>th</sup> June, 2022 and pass a reasoned order. Such a reasoned order was passed by the respondent on 07.11.2022 and after considering various issues related to the prayer of resignation, it did not accept the resignation on the following grounds:

- a. *There is no sufficient reason mentioned in application dated 07/06/2022 for acceptance of resignation w.e.f. 07/07/2022.*
- b. *Previous application for accepting resignation w.e.f. 01/03/2015 vide prayer dated 30/01/2015 and the latest one w.e.f. 07/07/2022 are contradictory.*
- c. *Not sure about the status of Dr. Mallik during the period from 01/04/2015 to 07/07/2022.*
- d. *Not sure, whether she joined after the expiry of*

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**THE STATE OF WEST BENGAL & ORS.**

*Child Care Leave as on 31/03/2015.”*

Since it appears that the acceptance of resignation has been kept in abeyance till points “a. to d.” as stated above are clarified, the Tribunal, therefore, directs the applicant to submit relevant documents before the respondent as clarification to the points raised in the reasoned order.

Mr. Sankha Ghosh, learned counsel for the applicant prays for adjournment of this matter till the applicant is able to clarify the above points before the respondent.

Let the matter be listed under the heading “For Orders” on 10.10.2023.

(SAYEED AHMED BABA)  
OFFICIATING CHAIRPERSON  
and MEMBER (A)

SCN.

WEST BENGAL ADMINISTRATIVE TRIBUNAL