

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 825 of 2023

Dr. Mainak Dutta -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant

: Mr. M.N. Roy,

Mr. S. Ghosh,

Mr. G. Halder,

Ld. Advocates.

01
21.12.2023

For the State respondent

: Mr. G.P. Banerjee,

Ld. 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 23rd 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.

Affidavit of service filed be kept on record.

Dr. Dutta, the applicant in this application has prayed for a direction to the respondent authorities to consider and accept his resignation letter so submitted by him before the authorities on 04.12.2023. After receiving his NOC from the Department, the applicant had applied for the post with the Department of ENT at AIIMS, Kalyani. Being successful and offered a position by AIIMS, Kalyani, a resignation letter has been furnished before the Principal Secretary of the Department and the Director of Medical Education. As per submissions of Mr. Roy, the learned counsel for the applicant, Dr. Dutta has to join the new post at AIIMS, Kalyani within a month from the date of offer of appointment on 30.11.2023. Submission is, a direction may be given to the respondent authorities to consider and accept his letter of resignation.

Mr. Banerjee, learned counsel appearing on behalf of the State respondent submits that if a direction is given, the same will be complied as per Rules.

Having heard the submissions of the learned counsels, this application is disposed of by directing the Respondent No. 2, the Principal Secretary, Department of Health & Family Welfare to consider the letter of resignation submitted by the applicant before him on 04.12.2023 as per Rules and communicate the decision to the applicant within one (01) week thereof.

Accordingly, the application is **disposed of**.

HS/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)