

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 88 of 2024

**Tanima Saha -- VERSUS – The State of West Bengal & Ors.**

Serial No. and Date of order	For the Applicant	: Mr. B.N. Roy, Mr. A. Das, Ld. Advocates.
<u>02</u> 25.04.2024	For the State respondent	: Mr. S. Ghosh, 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 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.

Mr. Roy, learned counsel for the applicant points out an error in the order dated 19.03.2024, which is appearing in the third line of the penultimate para instead of “**Superintendent, Murshidabad Medical College**”, it should be “**Superintendent, Domkal SD Hospital, Murshidabad**”. Let the above correction be recorded and the correct copy be the part of the original order dated 19.03.2024.

Learned counsels for both the sides informed that in terms of a direction of this Tribunal, the applicant has already joined her post and resumed her duties. Submission of Mr. Roy, learned counsel for the applicant is that since the direction of this Tribunal has been complied, a direction may be given to the State respondents to consider her prayer for Child Care Leave for the period from 17.04.2020 to 28.12.2020. By a memo no. 3300 dated 22.05.2020, the Chief Medical Officer of Health, Murshidabad had advised the Superintendent, Domkal SD Hospital, Murshidabad to forward to the higher authorities such prayer for Child Care Leave. Mr. Roy also prays that a direction may be given to the respondent authorities to release her arrear salaries.

Having heard the submissions of the learned counsels, this application is disposed of by directing the respondent no. 2, Director of Health Services to consider the prayer of Child Care Leave of the applicant during the above mentioned period as per rules, if she is entitled and also release her arrear

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salaries, if any due to her as per rules within a reasonable period of time, preferably within a period of four (04) months from the date of communication of this order.

Mr. Ghosh, learned counsel for the State respondents submits that it may be kept in record that she was also absent during the period from 20.10.2019 to 05.04.2024.

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

CSM/SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**