

**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 94 OF 2023**

**SUPRIYO DAS – VERSUS- THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicant	:	Mr. K. Alam, Advocate
	For the State Respondents	:	Mr. G.P. Banerjee, Advocate
<u>3</u> 14.07.2023	For the Principal Accountant General (A&E), West Bengal	:	Mr. Biswanath Mitra, Departmental Representative

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.

The applicant has prayed for a direction upon the respondent authorities to release his salary from 31.12.2019 till date. It appears from the application and submissions of the learned counsels that the applicant was asked by the employer to refund an amount of Rs.20,38,453/- which he deposited. It appears that this amount was the salary paid to the applicant from the financial year 2017-18 till 2019-20 amounting to Rs.20,38,453/-. From a letter of the applicant addressed to the Director of Medical Education, Government of West Bengal, Kolkata dated 15.12.2022 it appears that the applicant did not complete a course which he was undergoing under trainee reserve facility. Later switching to another course he applied for trainee reserve, which was not allowed. This letter also reveals that the applicant was absent from duty since July, 2017 and was also issued a show cause notice. In order to understand the matter in this application in its totality, it is necessary to examine a copy of the show cause notice issued to the applicant and other relevant documents.

Let a copy of the show cause notice and other relevant documents be filed before this Tribunal by the respondents on the next date.

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Form No.

**SUPRIYO DAS**

**Vs.**

**Case No. - OA 94 OF 2023**

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

Mr. Biswanath Mitra, the Departmental Representative for the Principal Accountant General (A&E), West Bengal submits that A.G., West Bengal has no role in this matter. Hence, name of the Principal Accountant General (A&E), West Bengal be expunged from the array of Respondents.

Let the matter appear under the heading "For Orders" on 15.12.2023.

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

SCN.

WEST BENGAL ADMINISTRATIVE TRIBUNAL