

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

Hon'ble Justice Soumitra Pal, Hon'ble Chairman.
& Hon'ble Dr. Subesh Kumar Das, Administrative Member.

CASE No. OA 108 of 2019.

DR.SUBIR KUMAR MUKHAPADYAY -Vs- THE STATE OF W.B. & ORS.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;">3</p> <hr/> <p>11.3.2019.</p>	<p>For the Applicant : Mr. S.N. Ray , Advocate.</p> <p>For the State Respondent : Mr. S. Ghosh, Advocate.</p> <p>For the Principal Accountant General (A & E) W.B. : Mr. B. Mitra, Departmental representative.</p> <p style="text-align: center;">Affidavit of service filed today be kept on record.</p> <p>In this application the applicant, appointed in the post of Medical Officer in the West Bengal Health Services in 1986 and now posted at Chhatna Multi Super Speciality Hospital, Bankura, has prayed for a direction upon the respondents to consider his application for voluntary retirement under rule 75(aaa) of the West Bengal Service Rules, Part-I submitted before the Superintendent, Chhatna Super Speciality Hospital, Chhatna, District – Bankura, – the respondent no. 4, on 14th September, 2018 through proper channel. Submission is since it was not considered, a representation was filed on 3rd December, 2018 before the Director of Health Services, Government of West</p>	

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	<p>Bengal – the respondent no. 2. Mr. S.N. Ray, learned advocate appearing on behalf of the applicant submits that since even after reminder no steps have been taken, this application has been filed.</p> <p>Mr. S. Ghosh, learned advocate on behalf of the State respondents submits that though there are judgements in favour of the applicant passed by the Tribunal, however, a writ petition was preferred by the State from a judgement passed by the Tribunal in the High Court, which was dismissed for default since restored after filing restoration application, a submission opposed by Mr. Roy. On a query, it is submitted on behalf of the State that there is no stay of the order of the Tribunal.</p> <p>Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Principal Secretary, Department of Health and Family Welfare, Kolkata, now designated as Additional Chief Secretary, Department of Health and Family Welfare , Government of West Bengal, the respondent no. 1 to dispose of the application of the petitioner for voluntary</p>	

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Skg.	<p>retirement under rule 75(aaa) of West Bengal Service Rules, Part-I by passing a reasoned order to be communicated to the parties within sixteen weeks from the date of presentation of a copy of this order after giving an opportunity of hearing and after verifying the records.</p> <p>(Subesh Kumar Das) Member(A).</p> <p>(Soumitra Pal) Chairman.</p>	

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