

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 240 of 2020.

DR. MANISHA MONDAL –Vs- THE STATE OF WEST BENGAL & 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 |
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| <p>3 12.10.2020.</p> | <p>For the Applicant : Mr. S.Ghosh, Mr. B. Nandy, Advocates.</p> <p>For the State Respondent : Mr.G.P. Banerjee, Advocate.</p> <p>In this application the applicant has prayed for certain reliefs, the relevant portion of which is as under :-</p> <p>“a) An order do issue directing thereby the concerned respondent authorities to allow the choice of transfer posting of the applicant to Karimpur RH from Pundibari RH as has been prayed for in the representation preferred by the applicant.</p> <p>b) An order to issue quashing/setting thereby aside the arbitrary and impugned order dated 23.07.2020 passed by the CMOH, Nadia vide Memo No. CMOH-Nad/4155 asking thereby the applicant to handover the charge to the respondent no. 6, de-hors the extant rules without clarifying the legal and valid queries as raised by the applicant as well as by the ACMOH.</p> <p>c) An order do issue directing the respondent authorities to transfer/opt-in the applicant to</p> | |

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| | <p>the post of BMOH, Karimpur RH, considering the representations so made by the applicant, particularly when there is alternative arrangement for BMOH at Pundibari RH, Coochbehar District...”.</p> <p>It is submitted by Mr. S. Ghosh, learned advocate for the applicant that since the applicant has submitted a representation on 12th June, 2020 before the Director of Health Service – the respondent no. 2 for posting her at Karimpur Rural Hospital, appropriate order may be passed for consideration of the same.</p> <p>Mr. G.P. Banerjee, learned advocate appearing on behalf of the State respondents submits if directed , the respondent authority will consider the representation in accordance with law.</p> <p>Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the original application is disposed of by directing the Secretary , Department of Health and Family Welfare- the respondent no. 1 to dispose of the representation submitted on 12th June, 2020, being annexure “G” to the application, by passing a reasoned order to be communicated to the applicant within fifteen</p> | |

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| Skg. | <p>weeks from the date of presentation of a copy of this order downloaded from the internet/website after giving an opportunity of hearing and after verifying the records. We make it clear that we are not gone into the merits of the matter and all points are left open to be dealt with by the respondent no. 1.</p> <p>Since for circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.</p> <p>(Subesh Kumar Das) Member (A).</p> <p>(Soumitra Pal) Chairman.</p> | |