

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 354 of 2020.

DR. DEBANGSHU GHOSH –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
<p>2</p> <hr/> <p>5.10.2020.</p>	<p>For the Applicant : Mr. S. Ghosh, Mr. M.N. Roy, Mr. A. Mitra, Advocates.</p> <p>For the State Respondent : Mr. G.P. Banerjee, Advocate.</p> <p>Affidavit of service filed be kept on record.</p> <p>In this application Dr. Debangshu Ghosh, the applicant, at present Assistant Professor at Purulia Government Medical College, has prayed for certain reliefs, the relevant portion of which is as under :-</p> <p><i>“(a)....An order do issue directing the concerned respondent authorities to forthwith issue relieve order in favour of the applicant after accepting his resignation letter, so made by him on 18.09.2020 before The Director of Medical Education & Ex-officio Secretary, Department of Health & Family Welfare, Government of West Bengal, (Through Proper Channel), along with 13 points declaration, enabling him to join in the post of</i></p>	

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	<p><i>“Assistant Professor” at AIIMS, Kalyani , West Bengal in the department of “ENT” on and before 15.10.2020.</i></p> <p><i>(b) An order do issue directing the concerned respondent authorities to forthwith issue “Relieve Order” in favour of your applicant alongwith all dues without causing any further delay, so as to enable your applicant to join in the post of “Assistant Professor” at AIIMS, Kalyani, West Bengal in the department of “ENT” on and before 15.10.2020....”.</i></p> <p>It is submitted by Mr. M.N. Roy, learned advocate for the applicant that since it is evident that the State authorities on 14th March, 2019 had granted “No Objection Certificate” to the applicant for applying for the post of Assistant Professor in AIIMS, Kalyani and as he has been selected and offer of appointment for the post of Assistant Professor dated 15th September, 2020 has been issued by the AIIMS, Kalyani and he has been directed to join within a month from the date of completion of formalities and as he has filed the letter of</p>	

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	<p>resignation dated 18th September, 2020 before the Director of Medical Education & Ex-officio Secretary, Department of Health & Family Welfare, Government of West Bengal- respondent no. 2 along with 13 point query, appropriate order may be passed.</p> <p>Mr. G.P. Banerjee, learned advocate appearing on behalf of the State respondent submits if directed , the respondent authority will consider the letter of resignation 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, Government of West Bengal, – the respondent no.1 to dispose of the letter of resignation dated 18th September, 2020 along with 13 point query, submitted by the applicant before the Director of Medical Education & Ex-officio Secretary, Department of Health and Family</p>	

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Skg.	<p>Welfare, Government of West Bengal by passing a reasoned order by 14th October, 2020 to be communicated to the applicant.</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>	