

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Justice Soumitra Pal (Chairman)****& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)****Case No – OA 434 OF 2020****DR. ARINDAM ROY 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
2 <hr/> 09.12.2020	<p>For the Applicant : Mr. S. Ghosh, Advocate</p> <p>For the Respondents: Mr. G.P. Banerjee, Advocate</p> <p>Let affidavit of service filed today be kept on record.</p> <p>In the application, the applicant, - Dr. Arindam Roy, the RMO-cum-Clinical Tutor, Department of Ophthalmology, at NRS Medical College and Hospital, Kolkata, - has prayed for several reliefs, the relevant portion of which is as under:</p> <p>“(a) An order do issue directing the respondent authorities to allow the applicant the benefit of “Lien” as enshrined in West Bengal Service Rules, Part-I for a period of two years from the post of Tutor (putting the present post of “RMO-cum-Clinical Tutor” on suspended lien), enabling him to join the post of “Assistant Professor”, Department of Ophthalmology at AIIMS, Kalyani on or before 03.12.2020.</p> <p>(b) An order do issue thereby directing the</p>	

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	<p>respondent authorities to issue “relieving order” in favour of the applicant within a stipulated time period enabling him to join the post of “Assistant Professor”, Department of Ophthalmology at AIIMS, Kalyani on or before 03.12.2020.”</p> <p>On behalf of the applicant submission is since after being selected for AIIMS, Kalyani, the authorities of AIIMS by letter dated 22nd October, 2020 has directed him to join the post within one month from the date of receipt of the letter offering appointment and which was on the request of the applicant was subsequently extended by a week, a direction be issued upon the respondents to release him. Submission is though in this regard a representation dated 11th November, 2020 has been furnished before the authorities, no steps have been taken. Aggrieved this application has been filed. In this regard Mr. S. Ghosh, learned advocate for the applicant relies on the order passed in W.P.S.T. 58 of 2020.</p> <p>Mr. G.P. Banerjee, learned advocate for the State respondents submits, if directed, the respondents will consider the matter in accordance with the law.</p> <p>Having heard the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Secretary, Department of Health and Family Welfare, Government of West Bengal,</p>	

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SCN.	<p>the respondent no.1 to dispose of the representation furnished on 11th November, 2020 by passing a reasoned order to be communicated to the parties within a fortnight from the date of presentation of a copy of this order downloaded from the website / internet after giving an opportunity of hearing, after verifying the records and after considering the judgement passed in W.P.S.T. 58 of 2020.</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>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	