

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

Hon'ble Justice Soumitra Pal,
Hon'ble Dr. Subesh Kumar Das,

Hon'ble Chairman &
Administrative Member.

CASE NO. OA 464 of 2019.

DR. KIRAN KUMAR MUKHOPADHYAY – VERSUS- 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 22.7.2019.</p> | <p>For the Applicant : Mr. M.N. Roy, Mr. S. Ghosh, Mr. R.K. Mondal, Advocates.</p> <p>For the State respondents : Mrs. S. Agarwal, Advocate.</p> <p>Affidavit of service filed today be kept on record.</p> <p>Since despite service of notice, none appears on behalf of the State respondents. Mrs. S. Agarwal, learned advocate, who normally appears on behalf of the State respondents, is requested to appear in this matter. The Legal Remembrancer, West Bengal is directed to regularise her appointment. Let a copy of the Original application be served on Mrs. Agarwal, which is served and accepted.</p> <p>In this application, the applicant who had joined the West Bengal Health Services as Professor in the department of Orthopaedics at N.R.S. Medical College & Hospital, Kolkata on 30th June, 2018 in the capacity of Professor, Department of Orthopaedics, has prayed for a direction upon the respondents to accept his letter of resignation, being annexure B to the original</p> | |

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| | <p>application along with the 13 point query, which has been submitted with the letter dated 10th June, 2019, being annexure C to the application. It is submitted by Mr. M.N. Roy, learned advocate for the applicant, that the issue is covered by the judgement dated 18th February, 2016 passed in WPST 22 of 2016 Dr. Debarati Chattopadhyay –vs- The State of West Bengal & Ors.</p> <p>Mrs. S. Agarwal, learned advocate appearing on behalf of the State respondent submits, if directed, the State authorities will consider the application in accordance with law.</p> <p>Having heard learned advocates for the parties and considering the facts and circumstances of this case, the original application is disposed of by directing the Additional Chief Secretary, Department of Health & Family Welfare, Government of West Bengal – the respondent no. 1, to dispose of the letter of resignation dated 30th June, 2018 along with the 13 point query enclosed to the letter dated 30th June, 2018, by passing a reasoned order to be communicated to the parties within ten weeks from the date of communication of this order after giving an opportunity of hearing, after</p> | |

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| Skg. | <p>verifying the records and after considering the law laid down in WPST 22 of 2016 Dr. Debarati Chattopadhyay (supra).</p> <p>(Subesh Kumar Das) Member (A).</p> <p>(Soumitra Pal) Chairman.</p> | |