

**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 503 of 2018.

LAKSHI NARAYANA CHOWDHURY – VS- 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
<div>1</div> <hr/> <div>3.12.2018.</div>	<p>For the Applicant : Mr. A. Dutta, Mr. U. Trivedi, Advocates.</p> <p>For the State Respondent : Mr. G.P. Banerjee, Advocate.</p> <p>In this application, the applicant, a Police Constable posted at Phool Bagan Police Station, Kolkata has prayed for a direction upon the respondents to treat him on duty on and from 11<sup>th</sup> May, 2018 on the basis of the medical certificate dated 11<sup>th</sup> May, 2018 issued by the Kolkata Police Hospital. It appears that on 20<sup>th</sup> April, 2018 feeling ill, the applicant went to the Outdoor Patient Department at the Kolkata Police Hospital. A ticket was issued. He was advised to take rest for a period of eight days. During that period, on 25<sup>th</sup> April, 2018, he felt unwell. A local doctor examined him and told him to take rest as already advised. It has been stated in the application that on 28<sup>th</sup> April, 2018 he informed about his overstay to the Duty Officer, ASI, Phool Bagan Police Station and it was diarised. On 11<sup>th</sup> May, 2018 after obtaining fitness certificate from the Kolkata Police Hospital, he went to Phool Bagan Police Station for</p>	

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	<p>joining his duty. It has been alleged that without assigning reason he was not allowed to join. Prayer is that he may be allowed to join duty after setting aside the messages sent to him directing him to report before the Assistant Commissioner.</p> <p>It is submitted by Mr. A. Dutta , learned advocate for the applicant, appearing along with Mr. U. Trivedi, learned advocate that he may be allowed to join duty treating him on duty on and from 11<sup>th</sup> May,2018.</p> <p>Mr. G.P. Banerjee, learned advocate appearing on behalf of the state respondent, on instruction, submits that admittedly the applicant had overstayed his leave. In view of the office order contained in the memo dated 4<sup>th</sup> May, 2017 he was directed to report before the Assistant Commissioner of Police-I, ESD. Had he reported, he would have been allowed to resume his duty. Let a copy of order dated 4<sup>th</sup> May, 2017 issued by the Deputy Commissioner of Police, Eastern Suburban Division, Kolkata, be kept on record.</p> <p>It is submitted by Mr. Dutta, that his client would report to the concerned Assistant Commissioner of Police, ESD, Kolkata Police during office hours in course of</p>	

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Skg.	<p>this day.</p> <p>Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of granting the applicant leave to report before the concerned Assistant Commissioner of Police, ESD, Kolkata Police during office hours in course of this day and accordingly the Assistant Commissioner of Police, ESD, Kolkata Police will issue necessary orders.</p> <p>Since the application is disposed of at the stage of admission without calling upon the respondents to file reply, the allegations made therein are deemed to have been denied.</p> <p>(Subesh Kumar Das) Member(A).</p> <p>(Soumitra Pal) Chairman.</p>	

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