

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

Hon'ble Justice Soumitra Pal, Hon'ble Chairman.
& Hon'ble Mr. P. Ramesh Kumar, Administrative Member.

Case No. OA 528 of 2017.

BAZLUL ISLAM – 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>12 19.12.2018.</p>	<p>For the Applicant : Mr. G. Mostafa, Mr. T.S. Samanta, Advocates.</p> <p>For the State Respondent : Mr. S. Ghosh, Advocate.</p> <p>The applicant, a doctor in the Health and Family Welfare Department , Government of West Bengal, has challenged the order transferring him from Islampur Rural Hospital to Indrani P.H.C. and the consequent release order dated 7th March, 2017. Prayer has also been made to direct the respondent authorities to make proper calculation of the arrear salary from August, 2009 to March, 2011 and to pay the same and also to grant the benefits of periodical increment on and from 2010 and to grant other service benefits. At the very outset, it is submitted by Mr. G. Mostafa, learned advocate for the applicant that the order of transfer has become infructuous as his client had joined at Indrani P.H.C. and subsequently transferred to Kandi, Murshidabad, where he has also joined. So far as the prayer 8(ii) is concerned, submission is appropriate direction may be issued upon the respondent to consider</p>	

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	<p>the representation dated 27th April, 2017 filed on his behalf by his learned advocate.</p> <p>Mr. S. Ghosh, learned advocate appearing on behalf of the respondent submits that the disputes, if at all, with regard to the grant of arrear service benefits arose as the applicant did not join the transferred post in time.</p> <p>Heard Mr. Mostafa and Mr. Ghosh, learned advocates for the parties. With regard to the submission made on behalf of the applicant it is appropriate to set out prayer 8(ii) which is as under :- <i>"...This Hon'ble Tribunal may also be pleased to direct the respondents to make proper calculation of the arrear salary of the applicant of about 22 months from August, 2009 to March, 2011 and pay the same and also grant the benefit of periodical increment on and from the year 2010 and allied service benefits at the earliest....."</i></p> <p>In view of the submission made by Mr. Mostafa and prayer 8(ii), this application is disposed of by granting liberty to the applicant to file a representation ventilating his grievances with regard to arrear salary and service benefits, annexing copies of</p>	

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Skg.	<p>relevant documents, before the Director of Health Services, Government of West Bengal – the respondent no. 1(b) within four weeks after having a copy of this order. If such representation is filed within the time as stipulated, same shall be disposed of by the Director of Health Services by passing a reasoned order to be communicated to the parties within ten weeks after giving an opportunity of hearing and after verifying the records and documents.</p> <p>(P. Ramesh Kumar) Member(A).</p> <p>(Soumitra Pal) Chairman.</p>	

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