

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 596 of 2017.

PORTIA SAHA – 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 style="text-align: center;">7</p> <hr/> <p>14.8.2018.</p>	<p>For the Applicant : Mrs. S. Mitra, Mrs. S. Basu, Advocates.</p> <p>For the State Respondent : Mr. G. P. Banerjee, Advocate.</p> <p>Though the matter has appeared under the heading “Reply, Rejoinder and Objection”, by consent of learned advocate for the parties the matter is taken up for hearing.</p> <p>In this Original Application, the applicant who had joined as GDMO at GDMO at Sindrani PHC under Bagda RH in the district of North 24-Pargnas on 15th March, 2016 , as evident from page 30 of the application and who had submitted her resignation by letter dated 11th April, 2017 before the Director of Health Services, Government of West Bengal, the Respondent no. 2 on 10th April, 2017 as evident from page 32 of the original application, has prayed for a direction upon the respondents to accept her resignation in view of the judgement delivered on 3rd May, 2018 in OA No. 228 of 2018 (Dr. Basab Bagchi –Vs- State of West Bengal and Others) .</p>	

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	<p>Mrs. Mitra, learned advocate appearing on behalf of the applicant submits that the authority may be directed to take a decision on the letter of resignation in accordance with law.</p> <p>Mr. G.P. Banerjee, learned advocate for the State Respondent submits that since the applicant had admittedly joined on 15th March, 2016 and has tendered her resignation on 10th April, 2017, the issue is not covered by the judgement passed in Dr. Basab Bagchi (supra) as the relevant rule has been amended on 26th August, 2016, that is before the submission of letter of resignation.</p> <p>In reply, Mrs. Mitra submits that the authorities may be directed to consider the letter of resignation in accordance with law. On query, it is submitted that the applicant is not attending her duties.</p> <p>Having heard Mrs. Mitra, learned advocate for the applicant and Mr. Banerjee, learned advocate for the State Respondent and considering the facts and circumstances of the case, as prayed for on behalf of the applicant, the Original Application is disposed of by directing the Secretary, Department of Health and Family</p>	

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Sukhendu	<p>Welfare, Government of West Bengal, Respondent no. 1 now designated as Additional Chief Secretary, Department of Health and Family Welfare, Government of West Bengal, Calcutta to dispose of the letter of resignation dated 10th April, 2017, appearing at page 32 of the application by passing a reasoned order, within eight weeks from the date of presentation of a copy of this order after giving an opportunity of hearing to the applicant and after verifying the records .</p> <p>(Subesh Kumar Das) Member(A).</p> <p>(Soumitra Pal) Chairman.</p>	

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