

ORDER SHEET

West Bengal Administrative Tribunal

Present.-

The Hon'ble Justice Ranjit Kumar Bag

&

The Hon'ble Dr. Subesh Kumar Das

Case No. **OA 767 of 2019**

Dr. Ranadip Ranjan Ghosh Roy

Versus

The State of West Bengal & Ors.

Serial No. and
date of order

Order of the Tribunal
with signature

Office action with date
and dated signature of
parties when necessary.

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2

3

02
25/11/2019

For the Applicant : Mr. G.P. Banerjee,
Ld. Advocate.

For the State Respondent : Mr. S. Ghosh,
Ld. Advocate.

Affidavit of Service filed on behalf of the applicant today is kept on record. The applicant has prayed for direction upon the respondents for regularisation of absence of the applicant from duty during the period from September 01, 2008 to May 27, 2014 and payment of salary after giving due increment for the aforesaid period.

The contention of the applicant is that he joined in West Bengal Health Service on June 01, 1983. On May 12, 2008, he submitted an application before the appropriate authority praying for voluntary retirement from service. Ultimately prayer of the applicant for voluntary retirement was turned down by the Government of West Bengal by order dated March 07, 2014. The applicant joined back to duty on May 28, 2014. The grievance of the applicant is that his absence from duty during the period from September 01, 2008 to May 27, 2014 has not been regularised inspite of submission of representation by the applicant before the respondent no. 2, Director of Health Services, Government of West Bengal on July 17, 2014. It appears from record that the said representation of the applicant

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	<p>was received by the respondent no. 2 on July 21, 2014.</p> <p>Mr. Banerjee, Learned Counsel for the applicant submits that the applicant will retire from service on October 31, 2020 and as such the period of absence from duty needs to be regularised on an urgent basis for getting benefit of service by the applicant. On the other hand, Mr. Ghosh, Learned Counsel representing the state respondents submits that he has no objection if the respondent no. 2 considers the representation of the applicant in accordance with law.</p> <p>Having Heard Learned Counsel representing both parties and on consideration of the materials on record, we are of the view that the respondent no. 1, Secretary to the Government of West Bengal, Department of Health & Family Welfare should consider the representation submitted by the applicant before the respondent no. 3 on July 17, 2014 (annexure 'C' to the original application) in accordance with law by passing a reasoned order within specific period of time.</p> <p>Accordingly, the respondent no. 1, Secretary to the Government of West Bengal, Department of Health & Family Welfare is directed to consider the representation submitted by the applicant before the respondent no. 3 on July 17, 2014 in accordance with law for the purpose of taking a decision about regularisation of the absence</p>	

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Csm	<p>of the applicant from duty during the period from September 01, 2008 to May 27, 2014 by passing a reasoned order within a period of 12 (twelve) weeks from the date of communication of the order and take necessary follow up action, if any, within a period of 04 (four) weeks thereafter. With the above direction, the original application stands disposed of.</p> <p>Let a Plain Copy of the order be supplied to both parties.</p> <p>S. K. DAS MEMBER(A)</p> <p>R. K. BAG MEMBER(J)</p>	