

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

The Hon'ble Justice Soumitra Pal (Chairman)  
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No –OA 475 OF 2018

**DR. SANTANU SARKAR 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>4</p> <hr/> <p>10.12.2018</p>	<p>For the Applicant : Mr. S. Ghosh, Advocate</p> <p>For the Respondents: Mr. G.P. Banerjee, Advocate</p> <p>Affidavit of service filed today be kept on record. In this application, it appears from facts that the applicant had joined in Burdwan Medical College as RMO-cum-Clinical Tutor in General Surgery on 12<sup>th</sup> April, 2013. Subsequently on 11<sup>th</sup> July, 2016 the applicant had submitted an application seeking transfer from Burdwan to Kolkata. The said application was forwarded by the Principal, Burdwan Medical College to the Director of Medical Education, Department of Health and Family Welfare, Government of West Bengal. Allegation is that inspite of receiving the said application it was not considered by the authority concerned. Submission is it was not possible for him to stay at Burdwan which is 200 kilometres from Kolkata. Consequently on 20<sup>th</sup> September, 2017 he submitted his letter of resignation before the Director of Medical Education Service, the respondent No.2 which has not been considered. Mr. S. Ghosh, learned advocate for the applicant submits that a</p>	

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SCN.	<p>direction may be issued on the said respondent no.2 to take a decision on the said resignation letter dated 20<sup>th</sup> September, 2017.</p> <p>Mr. G.P. Banerjee, learned advocate for the respondent submits that if directed the said respondent no.2 will consider the said letter of resignation.</p> <p>Having heard Mr. Ghosh and Mr. Banerjee, learned advocates for the parties, and considering the facts and circumstances of the case, this Original Application is disposed of by directing the Director of Medical Education Service, Kolkata, the respondent No.2 to dispose of the letter dated 20<sup>th</sup> September, 2017 submitted by the applicant seeking resignation from the post within ten weeks from the date of presentation of a copy of this order by passing a reasoned order after giving an opportunity of hearing to the applicant and after verifying the records. It is made clear that we have not gone into the merits of the matter and all points are left open to be dealt with by the Respondent No. 2. Since the application is disposed of at the stage of admission without calling upon the respondents to file reply, allegations made therein are deemed to have been denied by them.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	