

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 918 OF 2018

DR. ABHIJIT MISRA 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>2</p> <hr/> <p>15.02.2019</p>	<p>For the Applicant : Mr. M.N. Roy, Mr. A. Mitra, Advocates</p> <p>For Respondents : None</p> <p>The matter has appeared in the list under the heading “To Be Mentioned” for correcting typographical errors in the order dated 4th February, 2019. It is submitted by Mr. M.N. Roy, learned advocate on behalf of the applicant that there are typographical errors in 8th and 9th line of the second paragraph of the first page of the order dated 4th February, 2019, in the first three lines, which is a continuation of the second paragraph, of the second page and in the 7th line of the third paragraph in the second page of the said order.</p> <p>It is pointed out that it has erroneously gone down in the order that a direction be issued upon the respondents to grant “voluntary retirement” instead of directing the respondents to accept the “resignation” as prayed for in the application. Moreover, the citation, instead of being ‘O.A. 346 of 2015’, as recorded should be “O.A. 843 of 2018”. Mr. Roy prays that a fresh order may</p>	

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	<p>be passed disposing of the application by directing the respondents to accept the letter of resignation pursuant to the representation dated 25th September, 2018, furnished before the Additional Chief Secretary, Department of Health & Family Welfare, Government of West Bengal, the respondent no.1 .</p> <p>We find the submission is correct. Hence the order dated 4th February, 2019 is recalled. A fresh order is passed after hearing Mr. Roy.</p> <p>In this application, the applicant, - a Medical Officer in the West Bengal Medical Education Services cadre under the Department of Health and Family Welfare, Government of West Bengal, who had joined on 22nd January, 2011, now posted as Assistant Professor (Paediatric Medicine), at Malda Medical College,- has prayed for a direction upon the respondents to accept his letter of resignation after considering the representation dated 25th September, 2018, being Annexure “C” to this application, furnished before the Additional Chief Secretary, Department of Health & Family Welfare, Government of West Bengal, the respondent no.1.</p> <p>It is submitted by Mr. Roy, learned advocate that since the issue is covered by the judgement passed in Original Application No. 843 of 2018 - Dr. Subhramoy</p>	

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SCN.	<p>Choudhury vs. The State of West Bengal and Ors.,- appropriate order may be passed.</p> <p>Having heard Mr. Roy and considering the facts and circumstances of the case, this application is disposed of by directing the Additional Chief Secretary, Department of Health and Family Welfare, Government of West Bengal – the respondent No.1, to dispose of the representation dated 25th September, 2018, being Annexure “C” to this application, by passing a reasoned order to be communicated to the parties within twelve weeks from the date of presentation of a copy of this order after giving an opportunity of hearing, after verifying the records and after taking into consideration the rules and the judgement passed on 22nd January, 2019 in O.A. 843 of 2018. No order as to cost.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	