

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

**The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Subesh Kumar Das**

Case No –OA 205 OF 2015

Dr. Deb Narayan Samanta 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 04.09.2018</p>	<p>For the Applicant : Mr. I. Pal, Mrs. S. Pal (Das), Learned Advocates.</p> <p>For the State Respondents : Mr. A.L. Basu, Learned Advocate.</p> <p>The applicant has prayed for direction upon the respondents to disburse the retirement benefit of the applicant without delay.</p> <p>The contention of the applicant is that he joined West Bengal Health Service on August 6, 1973. It appears from the materials on record that the applicant was transferred from the post of Medical Officer at Berhampur Sadar Hospital in the district of Murshidabad to the post of Medical Officer at Purulia Sadar Hospital in the district of Purulia by order dated March 8, 1984. It also appears from the materials on record that the applicant was released from his assignment at Berhampur Sadar Hospital on December 31, 1985. The applicant did not join his new assignment at Purulia Sadar Hospital at any material point of time. There is nothing on record to indicate when the applicant retired from service. The applicant claims to have submitted various applications on various grounds on various dates from the year 1993 to 2011, but those applications do not bear any endorsement of receiving the same by the office of the authority to whom the applications are addressed. There is nothing on record to indicate that the applicant resigned from service. Nor is there any document to establish that the resignation of the applicant was accepted or refused by the</p>	

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Rajib	<p>authority concerned.</p> <p>Having heard Learned Counsel representing both parties and on consideration of the background of filing the present application, we cannot persuade ourselves to decide whether the applicant is entitled to get any retirement benefits after long lapse of more than thirty years.</p> <p>The applicant has approached the Tribunal by filing the present application on February 27, 2015. The applicant did not join his new assignment at Purulia Sadar Hospital in spite of his release from Berhampur Sadar Hospital on December 31, 1985. Since the applicant has approached the Tribunal after long 30 years of his release from Berhampur Sadar Hospital and since this inordinate delay of 30 years has not been explained by the applicant either in the present application or by filing a separate application under Section 21(3) of the Administrative Tribunals Act, 1985, we are constrained to hold that the present application is clearly barred under Section 21 of the Administrative Tribunals Act, 1985. As a result, the present application is dismissed.</p> <p>Let a plain copy of the order be supplied to both parties.</p> <p style="text-align: center;">(Dr. S.K. Das) Member (A)</p> <p style="text-align: center;">(R.K. Bag) Member (J)</p>	

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