

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

The Hon'ble Mrs. Urmita Datta (Sen)  
& The Hon'ble Dr. Anup Kumar Chanda.

Case No –OA-228 of 2018.

**Dr. Basab Bagchi. –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;"><u>02</u> 18.04.2018</p>	<p><b>For the Applicant : Mr. Dibyendra Narayan Ray, Mr. Sankha Ghosh, Advocates.</b></p> <p><b>For the Respondents : Mr. Soumendra Narayan Ray, Advocate.</b></p> <p>The instant application has been filed challenging the speaking order dated 16.02.2018 passed by the Director of Medical Education, Department of Health &amp; Family Welfare, Government of West Bengal whereby the resignation dated 30.11.2015 submitted by the applicant has been rejected on the ground of non-compliance of provision of Rule 34A.1(b).</p> <p>The counsel for the respondents today has submitted one report issued by the Director of Medical Education, Government of West Bengal dated 17.04.2018 and has further submitted that in lieu of reply to the Original Application this may be treated as reply and the Original Application may be disposed of accordingly.</p> <p>The counsel for the applicant has referred a judgement passed by the Hon'ble High Court, Calcutta in W.P.S.T. No.-22 of 2016 dated 18.02.2016 which was affirmed by the Hon'ble Apex Court vide their judgement dated 23.02.2016 in SLP NO.-5327-</p>	

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Form No. ....

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Sourav	<p>5328/2016 and has submitted that his case is fully covered by this judgement as well as the Rule-34A(2) of W.B.S.R. Part-I, 1971.</p> <p>Heard the parties.</p> <p>Order is reserved.</p> <p><b>DR. A. K. CHANDA</b> <b>MEMBER (A)</b></p> <p><b>URMITA DATTA (SEN)</b> <b>MEMBER (J)</b></p>	