

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

The Hon'ble Justice Soumitra Pal, Hon'ble Chairman
& The Hon'ble Dr. Subesh Kumar Das, Administrative Member.

Case No –OA-509 of 2019.

Dr. Satabdi Sarkar. –Vs- The State of West Bengal & Others.

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>3</u> 19.07.2019.</p>	<p>For the Applicant : Mr. M. N. Roy Advocate.</p> <p>For the Respondents : Mr. B. P. Roy, Advocate.</p> <p>In this application, Dr. Satabdi Sarkar, a member of West Bengal Medical Education Services and now posted as an Assistant Professor in Anatomy at Murshidabad Medical College and Hospital, Behrampore, Murshidabad, West Bengal, has prayed for certain reliefs, the relevant portion of which is as under:</p> <p style="text-align: center;"><i>“a) An order do issue directing the concerned respondent authorities to forthwith issue release order alongwith all dues in favour of the applicant after accepting her resignation letter, so made by her on 27.05.2019 before The Director of Medical Education & Ex-officio Secretary, Department of Health & Family Welfare, Government of West Bengal, (Through Proper</i></p>	

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	<p><i>Channel), immediately.</i></p> <p><i>b) An order do issue directing the concerned respondent authorities to forthwith issue "Release Order" in favour of your applicant after accepting her resignation without causing any further delay, so as to enable your applicant to join the post of "Assistant Professor", Department of Anatomy, AIIMS, Kalyani, Nadia by 15th July, 2019."</i></p> <p>It is submitted by Mr. M. N. Roy, learned advocate for the applicant that since the State authorities, as evident from the order contained in the memo dated 5th April, 2019 appearing at page 19 of the application, had permitted the applicant to appear for the post of "Assistant Professor", Department of Anatomy, AIIMS, Kalyani, Nadia, and which is also evident from the "no objection certificate" granted by the authorities, appearing at page 20 of this application, and as after the selection process she has</p>	

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	<p>been selected, as evident from the intimation dated 22nd June, 2019 issued by the Administrative Officer, AIIMS, Kalyani, appearing at page 27 of this application, appropriate order may be passed directing the respondent no. 2 to accept the resignation and to issue release order. Submission is as it is evident from the intimation dated 22nd June, 2019 that in the evident of delay there is likelihood of the offer of appointment being cancelled, direction may be issued to dispose of the letter of resignation dated 27th May, 2019 at an early date.</p> <p>Mr. B. P. Roy, learned advocate for the State respondent submits that if directed the authorities will consider the matter in accordance with law.</p> <p>Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the Original Application is disposed of by directing the Additional Chief Secretary, Department of Health & Family Welfare, Government of West Bengal, Kolkata, - the respondent no. 1, to dispose of the letter of resignation date 27th May, 2019 filed by the applicant before the DME and Ex-officio Secretary, by</p>	

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Sourav	<p>passing a reasoned order to be communicated to the parties within a fortnight from the date of presentation of a copy of this order along with the copy of the application, after giving an opportunity of hearing to the applicant, after verifying the records and after considering judgments which may be relied on behalf of the applicant.</p> <p>(DR. SUBESH KUMAR DAS) MEMBER (A)</p> <p>(SOUMITRA PAL) CHAIRMAN</p>	