

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Justice Soumitra Pal****&****The Hon'ble P. Ramesh Kumar.****Case No –OA-810 of 2018.****Dr. Manas Kumar Ghosh. –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> 27.02.2019.</p>	<p>For the Applicant : Mr. Pijush Biswas, Mrs. Rimpay Mukherjee, Advocates.</p> <p>For the Respondents : Mr. Soumendra Narayan Ray, Advocate.</p> <p>Though several reliefs have been sought for in the application, Mr. Pijush Biswas, learned advocate for the applicant submits that the respondent authorities may be directed to consider the representations dated 7th June, 2017 and the reply dated 3rd November, 2017 to the memorandum dated 8th September, 2017 whereby prayer has been made to transfer him from Kurseong to a suitable post near his residence on compassionate ground.</p> <p>Mr. Soumendra Narayan Ray, learned advocate for the respondents submits that the applicant after obtaining the MBBS degree from the Calcutta University in the year 2005 was appointed on 11th March, 2008 as Medical Officer under the West Bengal Health Services. Thereafter, being allowed by the State he pursued post graduate course which he completed in the year 2016. Thereafter, he joined the post at Kurseong on 16th September, 2016 and served up to</p>	

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	<p>31st May, 2017. Thereafter he left his duty and is not attending office. Since he was not attending office, memorandum dated 8th September, 2017 was issued to which he has replied by a letter dated 3rd November, 2017. The learned advocate for the applicant has relied on the judgments passed by the Supreme Court in Union of India and others-Vs-S. L. Abbas : (1993) 4 SCC 357 and passed by the High Court in Debajyoti Ray-Vs-Bangiya Gramin Vikash Bank : 2014 SCC OnLine Cal 13742 in support of his submission.</p> <p>Having heard Mr. Biswas and Mr. Ray, learned advocates for the parties and considering the facts and circumstances of the case this application is disposed of by granting liberty to the applicant to rejoin the post at Kurseong within a fortnight from the date of communication of this order. After he rejoins the post at Kurseong, the State authority shall adjust the leave in accordance with law within four weeks. After such adjustment of leave the Director of Health Services (Administration), West Bengal - the respondent no.-2 shall consider the representation dated 7th June, 2017 and the reply dated 3rd November, 2017 to the memorandum dated 8th September, 2017 and shall</p>	

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<i>Sourav.</i>	<p>pass a reasoned order to be communicated to the parties within twelve weeks after giving an opportunity of hearing and after verifying the records.</p> <p>(P. RAMESH KUMAR) MEMBER (A)</p> <p>(SOUMITRA PAL) CHAIRMAN</p>	