

**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-906 of 2019.

**Gayatri Naskar. –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
<u>2</u> 13.12.2019.	<p><b>For the Applicant : Mr. M. N. Roy, Mr. G. Halder, Advocates.</b></p> <p><b>For the State Respondents : Mr. S. Ghosh, Advocate.</b></p> <p><b>For the Principal Accountant : Mr. B. Mitra, General (A&amp;E), West Bengal. Departmental Representative.</b></p> <p>Affidavit of service filed today be kept on record.</p> <p>At the very outset, Mr. M. N. Roy, learned advocate for the applicant, submits that as prayer (a) has gone down by mistake, the said prayer is given up.</p> <p>Gayatri Naskar, Health Assistant (F) at Ratikant More Sub Centre under Joynagar Rural Hospital, Kultali Block, South 24 Parganas, has filed this application praying for certain reliefs, the relevant portion of which is as under : -</p> <p style="text-align: center;"><i>“.....(b) An order do issue directing the concerned respondent authorities to forthwith issue “Release Order” in favour of your applicant without causing any</i></p>	

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	<p><i>further delay.</i></p> <p><i>(c) An order do issue directing the concerned respondent authorities to forthwith disburse all retiral benefits in accordance with law after issuance of specific order allowing your applicant to retire voluntarily from service, within a stipulated time period. ...."</i></p> <p>Referring to the application it is submitted by Mr. Roy, that since, as evident from the copies of the report issued by the Government of West Bengal, Department of Health &amp; Family Welfare, appearing at pages 18 to 21 of the application, that the applicant is unfit for work and as she has filed an application praying for voluntary retirement dated 4<sup>th</sup> April, 2018 and the subsequent reminders dated 25<sup>th</sup> April, 2019, appropriate order may be passed directing the authority to grant voluntary retirement since she has completed 55 years of age and more than 20 years of service.</p> <p>Mr. S. Ghosh, learned advocate for the State respondents submits, on instruction, that it is correct that</p>	

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Sourav	<p>the applicant has applied for voluntary retirement and doctors have advised not to venture out of her house. Submission is, if directed, the respondent authorities will consider the prayer of the applicant for voluntary retirement in accordance with law.</p> <p>Having heard learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed by directing the Director of Health Services, Government of West Bengal - the respondent no. 2, to dispose of the representation for voluntary retirement dated 4<sup>th</sup> April, 2018, appearing at page 17 of the application, and reminders dated 25<sup>th</sup> April, 2019 appearing at pages 31 and 32 of the application, by passing a reasoned order to be communicated to the parties within eight weeks from the date of presentation of a copy of this order, after giving an opportunity of hearing either to the applicant or to her authorised representative and after verifying the records.</p> <p>(DR. SUBESH KUMAR DAS) MEMBER (A)</p> <p>(SOUMITRA PAL) CHAIRMAN</p>	