

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

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble P. Ramesh Kumar (Administrative Member)

Case No. RA- 147 OF 2017 (OA-955 OF 2017)

DR. SILADITYA ROY CHOWDHURY 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>10</u> 26.06.19</p>	<p>For the Applicant : Mr.A.Maiti Advocate</p> <p>For the State Respondents : Mr.G.P.Banerjee Advocate</p> <p>This Review application has been filed by Dr.Siladitya Roy Chowdhury praying for review of the judgement and order dated 20th November, 2017 passed by the Tribunal in OA-955 of 2017, the relevant portion of which is as under:</p> <p><i>“The Tribunal has carefully heard the Learned Advocate for the Applicant and the Health Department and is prima facie of the view that the memo No. HF/O/MA/1379/HPT/32M-27-17 dated, Kolkata, the 10th October 2017 issued by Dr. Debaprasad Acharyya, Joint Secretary, Health & Family Welfare Department (Medical Administration Branch) does not suffer from any patent infirmity.</i></p> <p><i>The Health Department in its wisdom has thought it fit to post Dr.Siladitya Roy Chowdhury to the particular place which according to him does not fit the bill of his</i></p>	

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	<p><i>expectation in the light of his experience and professional expertise.</i></p> <p><i>The Tribunal is afraid that it cannot delve in the said question and accede to the prayer made by him in this Application and having found no merit in the same the Application is accordingly disposed of".</i></p> <p>Mr.A.Maiti, learned advocate appearing on behalf of the applicant submits that as the original application was disposed of relying on the submission of the respondents that necessary facilities do exist in the Imambara District Hospital and therefore the order of transfer cannot be according to the choice of the incumbent and as subsequently the applicant has been detailed at R.G.Kar Medical College and Hospital where the facilities do exist, the order of transfer dated 20th November, 2017 requires to be reviewed.</p> <p>Mr.G.P.Banerjee, learned advocate appearing on behalf of the State respondents submits that since no new fact has brought to light in this review application, no order may be passed on this review application. Had there been any infirmity in the</p>	

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BLR	<p>judgement and order dated 20th November, 2017 the applicant should have preferred a writ petition.</p> <p>Having heard Mr.Maiti and Mr.Banerjee, learned advocates for the parties and perusing the application for review, since we find that no new fact has come to light for reviewing the order dated 20th November, 2017 which is apparent from the review application, no order need be passed on the Review application. The Review application, being RA-147 of 2017, is dismissed.</p> <p>(P. RAMESH KUMAR) MEMBER (A)</p> <p>(SOUMITRA PAL) CHAIRMAN</p>	