

**ORDER SHEET**  
**WEST BENGAL ADMINISTRATIVE TRIBUNAL**  
**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)**

**Case No. MA – 35 of 2025 (OA – 704 of 2023)**

**Elina Lepcha - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicant : Mr. R.K. Roy  
and Learned Advocate.  
Date of order

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28.04.2025 For the Respondents : Mr. S.N. Ray,  
Learned Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638 – WBAT / 2J-15/2016 dated 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The prayer in this application is for modification of the order dated 13.12.2024 in MA – 110 of 2024. In partial modification of the order, the applicant prays that a certain time be given to the Director of ICDS to comply. By the above mentioned order, the Tribunal had directed the ICDS to consider the representation praying for her voluntary retirement. In the order, no time was mentioned for compliance of the order.

Mr. Ray, learned counsel for the State respondents submits that if a time is given to the respondent authorities to comply, the same will be complied.

Having heard the submissions and considering the prayer in this application is reasonable, the order dated 13.12.2024 in MA – 110 of 2024 is modified and shall be read as follows :

*“Having perused the records, the Tribunal finds that the applicant herself had addressed her prayer for voluntary retirement before the Director of Social Welfare Department. As the Acting Child Development Project Officer she should have known whom to address such a representation. Now since it has been made clear that the Director of Social Welfare is not the appropriate authority rather the Director of ICDS, liberty is given to file a representation before the Director of ICDS praying for her voluntary retirement.”*

*“If such a representation is filed, the Director of ICDS is directed to consider the same and dispose of as per rules within a period of three months from the date of communication of this order.”*

This application is disposed of.

SAYEED AHMED BABA  
OFFICIATING CHAIRPERSON & MEMBER(A)

A.K.P.