

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No. - OA 240 OF 2025

DR. ARNAB DATTA - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Mr. Sankha Ghosh,
and Mr. Gaurav Haldar,
Date of Mrs. Priya Sasmal,
order Learned Advocates

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01.07.2025 For the State Respondents : Mr. Debabrata Kole,
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 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

In this application, the applicant has prayed for a direction to the respondent authorities to issue relieve order in favour of the applicant after accepting his resignation letter dated 11.08.2022 and reminder dated 07.03.2025 before the Principal Secretary, Health and Family Welfare Department and the Director of Medical Education, Health and Family Welfare Department.

The applicant, appointed and joined on 02.12.2004 as “RMO-cum-Clinical Tutor” in the West Bengal Medical Education service at R.G. Kar Medical College, subsequently transferred on 03.03.2004 and joined at IPGME&R and by transfer joined Medical College, Kolkata on 15.09.2005, has not been confirmed in service. On promotion he had been appointed to the post of “Assistant Professor” from the post of “RMO-cum-Clinical Tutor” at Medical College, Kolkata. On 11.08.2022 he tendered his resignation before the Director of Medical Education, Health and Family Welfare Department, which was forwarded by the Principal, Medical College, Kolkata on 16.08.2022. He submitted his representation dated 07.03.2025 before the Principal Secretary and the Director of Medical Education Service by renewing his prayer for acceptance of resignation from service upon issuance of release order and all admissible dues. Submission is though he has completed all necessary formalities, his resignation has not been accepted.

Mr. Debabrata Kole, learned counsel submits upon instructions that the

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applicant who had joined his service on 02.12.2004 discharging his duties till 11.08.2022.

Submission of Mr. Kole, learned counsel is that to be eligible for acceptance of resignation from service, an employee has to complete minimum five years of regular and satisfactory service.

Having heard the submissions and after examination of the records, this application is disposed of by directing the respondent No. 2, the Principal Secretary, Department of Health and Family Welfare to consider the prayer of the applicant for resignation letter dated 11.08.2022 and representation dated 07.03.2025 and to take a final decision within three months from the date of communication of this order.

The application is disposed of.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)

SCN.