

ORDERSHEET
WESTBENGALADMINISTRATIVETRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata –700 091.

Present-

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

CaseNo.–QA-160 of 2025

Dr. Himadri Shekhar Bala--VERSUS-- The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant

: Mr. S. Ghosh,
Mr. M.N. Roy,
Mr. G. Halder,
Ld. Advocates.

02
25.04.2025

For the State Respondents:

Mrs. S. Mitra,
Ld. 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.

The applicant has prayed for a direction to the respondent authority to accept the letter of resignation tendered by him and issue the necessary relieve order. By submission of the learned counsels in this matter, it appears that the applicant had submitted his resignation letter before the respondent authorities on 28.01.2025 followed by 15-point declaration. Submission is that despite submission of the resignation letter, the authorities neither accepted it nor rejected it.

Appearing on behalf of the State respondents, Mrs. Mitra relying on instructions has submitted that there is an acute shortage of doctors. In the Department of Orthopedics where the applicant is a doctor, out of 248 sanctioned post there are 91 posts are vacant. His last working day was 06.05.2023. Mrs. Mitra also submits that the service of the applicant was not confirmed. Submission of Mr. Ghosh and Mr. Roy is that the respondent authorities have not bothered to consider his prayer for resignation dated 28.01.2025 and take any decision. It is also submitted that having put in his resignation letter, the applicant abstained from duty and his last date of working was 06.05.2023.

In view of the above observations and the fact that such a prayer for resignation from service has not been considered, it is the direction of this Tribunal to the Respondent No. 2, the Principal Secretary, Department of Health & Family Welfare to take a final decision on the application for resignation submitted by the applicant on 28.01.2025 and pass a reasoned and speaking order within three (03) months from the date of communication of

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this order. Let a copy of the reasoned order so passed by him also be communicated to the applicant within two (02) months thereof.

Accordingly, this application is **disposed of**.

SAYEED AHMED BABA
Officiating Chairperson & Member(A)

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