

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. – OA 81 of 2024

Dr. Amrish Kumar Jha -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mr. M.N. Roy, Mr. S. Ghosh, Mrs. S. Das, Ld. Advocates.
<u>02</u> 16.05.2024	For the State respondent	: Mrs. S. Agarwal, 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.

Mrs. Agarwal files a copy of documents on behalf of the respondent authorities. Let the same be kept on record. The first one is a report signed by the Director of Medical Education which primarily states that the applicant's application for resignation is not admissible for the reason that his length of service spans only 3 years 9 months and 7 days. Mrs. Agarwal submits that as per the rules, a minimum of five years service is required for tendering his resignation. The report also refers to the dearth of such specialist doctors in the Department. A total of 14 posts of Orthopaedics are lying vacant and acceptance of resignation of Dr. Jha would further make the Department critical. The report also mentions that Dr. Jha after submission of his resignation letter on 28.07.2014 has not been attending his duties.

Mr. Roy, learned counsel wishes to examine the report submitted by Mrs. Agarwal and respond to the points raised in the report through his submission on the next date.

Let the matter appear under the heading "**For Orders**" on **02.07.2024**.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)