|  |  |  |
| --- | --- | --- |
|   *05* *23/02/2018* | *Mr. Dibyendra Narayan Ray,**Mr. Ranjit Kumar Mondal,**Mr. Gourav Halder,* *Learned Advocates.* ***For the Applicant :*** *Mr. Goutam Pathak Banerjee,* *Learned Advocate.* ***For the State Respondents :*** *Mr. Biswanath Mitra,**Departmental Representative.**Learned Advocate.* ***For the Principal Accountant :******General (A&E), West Bengal***  *The instant application has been filed praying for a direction to the respondents to allow the voluntary retirement application submitted by the applicant within a stipulated period of time.*  *According to the applicant, she has fulfilled all the criterion stipulated in the rules and her case is squarely covered by the Judgment passed by this Tribunal in OA 346 of 2015 on 03.01.2017. The Counsel for the applicant has further submitted that the applicant has submitted voluntary retirement application on 26th April 2017, whereas the Judgment referred above was passed on 3rd January 2017. However, he has submitted that as considerable time has lapsed and no decision has been taken by the respondent authority, it would suffice her purpose if her OA will be treated as a part of her voluntary retirement application and be disposed by the Principal Secretary, Department of Health & Family Welfare, Government of West Bengal within a stipulated period of time.* *Mr. Goutam Pathak Banerjee, the Counsel for the State respondents has no objection to the said proposal. The Counsel for the Respondents has further submitted that although one Writ Petition has been filed against the said Judgment, however, no stay has been granted till date.*  *In view of the above, we direct the Principal Secretary, department of Health & Family Welfare, Government of West Bengal to dispose of the voluntary retirement application of the applicant dated 26.04.2017 treating this OA as a part of it and dispose of the above mentioned application within a period of four weeks from the date of receipt of this order after given an opportunity of personal hearing to the applicant.*  *Accordingly, the application is disposed of.*  *Plain copy.*  ***Dr. A. K. CHANDA URMITA DATTA (SEN)*** ***MEMBER(A) MEMBER(J)****Rajat* |   |