

DL-30

05.10.2023
Court No.5
(AD)

WP.ST 58 of 2020

**Dr. Santanu Suba
Vs.
The State of West Bengal & Ors.**

*Mr. D.N. Roy
Mr. Shankha Ghosh
Mr. M.N. Roy
Mr. Biswarup Nandy*
... for the petitioner.

*Mr. Tapan Kumar Mukherjee,
Ld. Sr. Advocate & Ld. AGP
Mr. Somnath Naskar*
... for the State.

The writ petition is directed against an order dated May 11, 2020 passed by the West Bengal Administrative Tribunal in O.A. U/3 of 2020.

In the present writ petition, from time to time, Coordinate Bench passed orders.

The Court is informed that, by virtue of interim orders passed by the Court on June 17, 2020, the writ petitioner joined AIIMS, Bhubaneswar, after retaining lien on the post of the writ petitioner held with the State.

Writ petitioner submits an affidavit in Court which be taken on record.

In the affidavit filed in Court, the writ petitioner states that, the writ petitioner joined AIIMS, Bhubaneswar on July 6, 2020. The lien period was for a period of two years which expired. In the affidavit the writ petitioner undertakes to

tender his resignation from the services under the State and not claim any pension and gratuity from the State save and except provident fund and group insurance.

Learned Senior Advocate appearing for the State submits that, the resignation of the writ petitioner may not be accepted if there is pendency of any vigilance or departmental proceedings.

Learned Advocate appearing for the petitioner submits that, there are no vigilance or departmental proceedings pending as against him.

Be that as it may, the writ petitioner is at liberty to tender his resignation on the terms as stated in his affidavit filed today.

State is at liberty to take a decision on the resignation so submitted in accordance with law.

It is expected that the State authorities disburses the provident fund and the group insurance of the writ petitioner, as expeditiously as possible and preferably within six weeks from the date of acceptance of the resignation.

WP.ST 58 of 2020 is disposed of without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

