

DL-8 & 9

29.09.2023
Court No.5
(AD)

WP.ST 137 of 2023

Dr. Gaurab Ranjan Chaudhuri
Vs.
The State of West Bengal & Ors.

Mr. Sankha Ghosh
Mr. M.N. Roy
Mr. Biswarup Nandy
Mr. R.K. Shah

... for the petitioner.

Mr. Tapan Kumar Mukherjee
Ld. Sr. Advocate & Ld. AGP
Ms. Sangeeta Roy
... for the State-respondents.

With

WP.ST 127 of 2023

Dr. Gaurab Ranjan Chaudhuri
Vs.
The State of West Bengal & Ors.

Mr. Sankha Ghosh
Mr. M.N. Roy
Mr. Biswarup Nandy
Mr. R.K. Shah

... for the petitioner.

Mr. Tanoy Chakraborty
Mr. Saptak Sanyal

... for the State-respondents.

Two writ petitions are taken up for analogous hearing as they are at the instance of the same writ petitioner.

Writ petitioner is a doctor. He is working with the State Government. He seeks to participate in a selection process of All India Institute of Medical Sciences (AIIMS), Kalyani and All India Institute of Medical Sciences

(AIIMS), Bhubaneswar. For such purpose, he applied for no-objection from the State. State refused to issue No-Objection Certificate. Consequently, he approached the Tribunal in two different original applications. Both the original applications were disposed of by the Tribunal by directing consideration of the representations of the writ petitioner.

The writ petition was heard on previous occasion. During the course of hearing, learned Advocate appearing for the writ petitioner submitted that, the writ petitioner was ready and willing to file an affidavit stating that, the writ petitioner will tender his resignation and will not seek the benefit of voluntary retirement, in the event, he is selected to any of the posts and he chooses to join such post.

Affidavit by the writ petitioner in both the writ petitions filed in Court be taken on record.

The writ petitioner seeks to tender his resignation, upon the writ petitioner being appointed to a post with either AIIMS, Kalyani or AIIMS, Bhubaneswar.

The Court is informed that the writ petitioner is alive to the consequences of such resignation.

Learned Advocate appearing for the writ petitioner submits that, the writ petitioner seeks his provident fund and group insurance, in the event, the writ petitioner tenders resignation.

In view of the affidavit filed by the writ petitioner in

Court in the two writ petitions and subject thereto, it would be appropriate to direct the authorities to issue No-Objection Certificate to the writ petitioner, forthwith, to participate in the selection process for AIIMS, Kalyani and AIIMS, Bhubaneswar.

WP.ST 137 of 2023 and **WP.ST 127 of 2023** are disposed of accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

