

06
16.07.2024
Ct. No. 11
Jayanta

WP.ST 120 of 2024

**Dr. Enamul Hoque
Vs
The State of West Bengal & Ors.**

Mr. Benazir Shaikh

Mr. Ibrahim Shaikh

.....For the petitioner.

Mr. Tapan Kumar Mukherjee, Ld. AGP

Mr. Somnath Naskar

Mr. Alok Banerjee

.....For the State/Respondents.

Affidavit-of-service filed by the petitioner be kept on record.

This instant writ petition has been instituted to assail the order dated 6th May, 2024 passed in O. A. No. 346 of 2023.

By the order dated 6th May, 2024, the petitioner, who is currently a doctor at Jangipur Sub-divisional Hospital, Murshidabad, was granted liberty to present a fresh representation requesting voluntary retirement on Medical ground, inclusive of his willingness to be medically examined by a medical board.

Mr. Shaikh, learned advocate representing the petitioner, submits that the petitioner is aggrieved by the order dated 6th May, 2024 as it does not set a time frame for consideration of the petitioner's application for voluntary retirement, which would be submitted as per the liberty granted by the learned Tribunal.

Mr. Mukherjee, learned Additional Government Pleader representing the State, submits that if the representation is submitted, the same will be considered and disposed of in accordance with law.

Heard the learned advocates and perused the materials on record.

Having regard to the submissions made by the respective parties, the writ petition is disposed of by granting liberty to the petitioner to submit a representation, as directed by the learned Tribunal within three weeks from date.

Needless to observe, upon receipt of such representation, the respondent no. 2 shall take a decision on the same in accordance with law after affording an opportunity of hearing to the petitioner, within six weeks from the date of receipt of such representation.

With the above observations and directions, the present writ petition is disposed of.

There shall, however, be no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Partha Sarathi Chatterjee,J.) (Tapabrata Chakraborty,J.)