

18th June, 2025
(M/L No.9)
Ct. No.4
(SKB)

W.P.S.T.105 of 2024

Smt. Doli Bhattaharya
Versus
The State of West Bengal and others

Mr. Sudip Sarkar,
Mrs. Sneha Maity,
Mr. Sukhdev Sarkar
... for the petitioner.

Mr. Tapan Kr. Mukherjee, ld. AGP,
Ms. Sangeeta Roy
....for the State.

1. The Original Application was filed by the petitioner, an Auxiliary Nurse and Midwife (in short 'ANM') serving in the health services assailing a medical report which is dated 21.06.2023. The medical report was conducted on the request of the petitioner since the same was a pre-requisite to her claim for grant of permission for voluntary retirement. Since the voluntary retirement was contingent upon the medical report, the petitioner sought the relief of setting aside of the medical report dated 21.06.2023, which found the petitioner to be fit for further service of less laborious character. It is only if the medical report was set aside, that the petitioner could claim the benefit of voluntary retirement.

2. The Tribunal has disposed of the O.A. No.1 of 2024 filed by the petitioner with liberty to the petitioner to pursue her claim for voluntary retirement.
3. The learned counsel for the petitioner submits that the Tribunal has not considered the petitioner's challenge to the medical report dated 21.06.2023.
4. We have made repeated queries from the learned counsel for the petitioner as to on what ground the medical report based on opinion of a Board of 5 Doctors was sought to be assailed before the State Administrative Tribunal. No such grounds are urged.
5. The learned counsel however submits that after the petitioner's alleged unauthorized absence for nearly 13 years, she has joined service, but is not being paid salary after joining.
6. The learned AGP on the other hand, submits that the authorities have proposed action against the petitioner for unauthorized absence and show cause has been issued to her. The submissions having been noted, we observe that these are issues not germane to the present proceedings.
7. Since no grounds have been urged to assail the medical report, we find no reason to interfere with

the order of the Tribunal rejecting the petitioner's claim.

8. The writ petition is dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)