

25th July, 2025
(D/L No.09)
Ct. No.4
(SKB)

W.P.S.T.132 of 2025

Dr. Tushar Kanti Saha
Versus
The State of West Bengal and others

Md. Shahjahan Hossain,
Ms. Sanjida Sultana,
Mr. Prithwiraj Biswas
... for the petitioner.

Mr. Somnath Ganguli, Id. Sr. AGP,
Mr. Jayanta Samanta
... for the State.

1. Heard learned counsel for the petitioner.
2. The petitioner was pursuing a degree of M.D. Pediatrics in between 1997 to 2000. He was deprived of the T.R. benefits being the grant of pay and allowances including increments and CAS benefits for the periods during which he was pursuing his degree. Under the circumstances, he has approached the authorities with such a grievance and an order has been passed by the Special Secretary, Department of Health and Family Welfare, Government of West Bengal on 14.09.2012 to regularize all arrears payment and all other consequential relief for the period during which he was pursuing his degree.
3. The O.A. was filed before the West Bengal Administrative Tribunal (in short 'Tribunal') seeking implementation of the letter issued by the

Special Secretary, Department of Health and Family Welfare, Government of West Bengal on 14.09.2012 to this effect.

4. In paragraph 6(viii) of the O.A. an averment has been made that the applicant was awarded the grant of Government sponsorship during the period from 02.07.1997 to 28.04.2000 (T.R. period) and he was allowed to draw the pay and allowances for this period for his deemed placement on T.R.
5. Under the circumstances, it is difficult for this court to appreciate as to what was the remaining grievance being raised by the petitioner/applicant before the Tribunal when he has made a specific averment that he was allowed to draw the pay and allowances for this period.
6. Learned counsel for the writ petitioner submits that there are other benefits due to the petitioner being his promotion as an Assistant Professor in May, 2000 and Associate Professor in the year 2004. He also claims that he was entitled to be promoted as a Professor in the year 2007. Such prayer, however, is not made in the O.A. filed by the petitioner/applicant, though our attention has been drawn to a representation dated 24.09.2012 filed by the petitioner claiming the benefit of promotion.

7. The representation is said to have been filed before the Director of Medical Education and Ex-Officio Secretary, Department of Health and Family Welfare, Government of West Bengal.
8. The learned counsel for the petitioner submits that a direction be issued to the Director, Medical Education to dispose of the representation filed by the petitioner. The direction is sought against the authority, who has not been impleaded as respondent in the writ petition. Without going into the merits of the claim, we only observe that the petitioner would be at liberty to pursue this representation before the authority and to take appropriate steps in accordance with law, including raising a grievance in this regard before the appropriate forum.
9. The writ petition is, thus, disposed of in these terms.
10. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)