

W.P.S.T. 195 of 2025

Dr. Himadri Shekhar Bala
Vs.
The State of West Bengal & Ors.

Mr. Sankha Ghosh,
Mr. M. N. Roy,
Mr. G. Haldar

...for the Petitioner

Mr. Swapan Dutta, Id. G.P.,
Mr. Dipankar Dasgupta,
Mr. Abhishek Chakraborty

...for the State

1. The present Writ Petition has been preferred since the West Bengal Administrative Tribunal ('Tribunal' for short) is non-functional for want of any member in the Tribunal. Under the circumstance, the writ petitioner has approached this Court.
2. We have, thus, proceeded to consider the matter.
3. Heard the learned counsel for the petitioner and the learned counsel for the respondents.
4. We have been handed a copy of the instruction by the learned G.P. As per the instruction dated 07.01.2026, the competent authority in the Department of Health & Family Welfare has already decided to accept the petitioner's resignation dated 28.01.2025. The petitioner submitted his resignation from the post of Assistant Professor in the Department of Orthopaedics, Malda Medical College, Malda with effect from 07.05.2023.

5. Since resignation was accepted, as per instructions, now only integrity clearance is awaited from the State Vigilance Commission, West Bengal. Similar clearance is also to be issued by the Vigilance Branch of the Health & Family Welfare Department, Government of West Bengal.
6. The issue substantially raised in the writ petition is acceptance of resignation, which issue has become infructuous in view of the communication dated 07.01.2026.
7. We, however, consider it appropriate to observe that the expected timeframe specified for vigilance clearance (three to four months) is highly unreasonable.
8. We, therefore, record that we expect that the authorities will take steps to ensure that clearance is processed and completed, in accordance with law, expeditiously, and preferably within a period of four weeks from the date of receipt/production of a copy of this order.
9. The Writ Petition is disposed of in these terms.
10. The parties are in agreement that in view of the present order, nothing survives in O.A. No. 474 of 2025, pending before the West Bengal Administrative Tribunal. Accordingly, the O.A. No. 474 of 2025 also stands disposed of.
11. There will be no order as to costs.

12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)