

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)  
& The Hon'ble Mr. P. Ramesh Kumar (Administrative Member)

Case No – OA 380 OF 2014

SOMENATH GHOSAL Vs The State of West Bengal & Ors.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p>19 09.08.2018</p>	<p>For the Applicant : Mr. G.P. Banerjee Mrs. S. Agarwal Mr. Sougata Mitra Advocate</p> <p>For the Respondents: Mr. R.A. Chowdhury Advocate</p> <p>In this application the applicant, a Group 'D' employee (G.D.A.) attached to Hurrah LCU, Purulia, has challenged the release order under memo No. 741 / 1 (6) dated 07.03.2014 issued by the Chief Medical Officer of Health, Purulia being annexure 'A' to the application, whereby he has been transferred from Deben Mahato (Sadar) Hospital Purulia and has been directed to join at Harmadih C.H.C. at Purulia. It has been stated that in paragraph 6(viii) as she has to look after the family members the order of transfer may be quashed. It appears that the matter was taken up on 2<sup>nd</sup> May, 2014 when the impugned order was directed to be stayed until further order.</p> <p>Mr. G.P. Banerjee, learned advocate for the applicant submits that the order of transfer is harsh.</p>	

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SCN.	<p>Mr. R.A. Chowdhury submits that the factual circumstances which led the applicant to challenge the order of transfer are now no more relevant as evident from the application itself.</p> <p>Heard learned advocates for the parties. In our view, the circumstances which prompted the applicant to file this application do not exist now. Moreover, there is no illegality in the order of transfer or in the impugned release order. Therefore, the interim order passed on 2<sup>nd</sup> May, 2014 is vacated. The applicant is directed to join the transferred post within six weeks from the date of obtaining a copy of this order. The application is disposed of.</p> <p>(P. Ramesh Kumar) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	