

**ORDER SHEET**  
**WEST BENGAL ADMINISTRATIVE TRIBUNAL**  
**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)**

**Case No. OA – 358 of 2025**

**Saurav Krishna Basu - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No.

and

Date of order

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24.07.2025

For the Applicant

: Mr. S. Bhattacharjee,  
Learned Advocate.

For the Respondents

: Mr. M. N. Roy,  
Learned Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638 – WBAT / 2J-15/2016 dated 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Affidavit of service filed be kept in record.

The applicant has prayed for a direction to the respondent authorities for setting aside the impugned order of Transfer issued by the Deputy Inspector General of Police (Administration) vide memo No. 554(168)/CRO-80/2023 dated 07.09.2024 and the Release Order issued by the Special Superintendent of Police (I), Intelligence Branch vide Org. No. 4308(7)/RO dated 15.05.2025 and further more to re-transfer him to his original place of posting at Intelligence Branch, West Bengal.

A copy of the release order available in this application is numbered 4285 dated 15.05.2025 issued by the Special Superintendent of Police-I, Intelligence Branch. The applicant, Saurav Krishna Basu is an A.S.I. (UB), was transferred from the Control Room of I.B. Head Quarter to Diamond Harbour PD by Memo 554 dated 07.09.2024. Mr. Bhattacharjee submits that copy of transfer order was not served upon the applicant. Further, such transfers were in violation of the policy of the department. From his submission, it is understood that though by this Memo 4285 the applicant was released for joining the new place of posting but he has preferred not to join the new place of posting. Mr. Roy submits that being released by Memo 4285 dated 15.05.2025, the A.S.I., Saurav Krishna Basu has not joined the new place of posting at the Diamond Harbour PD.

Mr. Roy has also submitted that several judgements of Hon'ble Apex Court, in which the transfer of an employee has been defined as "incidental to the service of an employee".

Matter is admitted.

Let the matter appear under the heading 'Hearing' on 13.11.2025.

A.K.P.

SAYEED AHMED BABA  
OFFICIATING CHAIRPERSON & MEMBER(A)

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Form No.

**Samba Hembram**

**Vs.**

Case No. **OA – 370 of 2024**

**THE STATE OF WEST BENGAL & ORS.**

WEST BENGAL ADMINISTRATIVE TRIBUNAL