

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 184 of 2021

DR. ASHOK KUMAR MAITY - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

For the Applicant

: Mr.M.N.Roy
Mr.G.Halder
Advocates

01
08.03.2021

For the State Respondents

: Mr.G.P.Banerjee
Advocate

The matter is taken up by the single Bench pursuant to the Notification No.949-WBAT/2J-15/2016 dated 24th December, 2020 issued in exercise of the powers conferred under sub-Section (6) of Section 5 of the Administrative Tribunals Act, 1985.

Affidavit of service filed today be kept on record.

At the very outset, Mr.M.N.Roy, learned advocate for the applicant submits that he is not pressing prayers (d) and (e) of the application and therefore, the same are declined as not pressed.

It is submitted by Mr.Roy, that since the applicant has 11 months left for superannuation and as the Madhyamik Examination 2021 of his son is fixed in the early part of June, 2021, in view of the urgency the matter may be taken up for hearing to which, Mr.G.P.Banerjee, learned advocate for the State respondents, does not oppose.

In this application, Dr.A.K.Maity, the applicant, a member of West Bengal Dental Education Service, Professor and Head of the Department of Dentistry, Calcutta National Medical College & Hospital, has challenged his transfer to the Department of Dentistry, Diamond Harbour, Government Medical College & Hospital as well as the release order issued on the same date appearing at pages 91 and 93 of the application. It is submitted that since his son's examination is due to be held from 1st to 10th June, 2021, considering

ORDER SHEET

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the humanitarian aspect of the matter, the transfer and the release orders may be set aside and quashed.

Mr.G.P.Banerjee, learned advocate for the State respondents submits that since the applicant has been in the said department for the past 14 years, the transfer order is just and proper.

Heard learned advocates for the parties. Since the Madhyamik Examination of the son of the applicant is going to be held from 1st June to 10th June, 2021, looking at the humanitarian aspect of the matter, the application is disposed of by directing the Principal Secretary, Department of Health and Family Welfare, Government of West Bengal, the respondent no.1 to defer the transfer order and release order both dated 25th February, 2021 till 15th June, 2021 and thereafter, on 16th June, 2021, the applicant will join the transferred post.

(SOUMITRA PAL)
CHAIRMAN

BLR