ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata - 700 091.

Present: HON'BLE JUSTICE SOUMITRA PAL, HON'BLE CHAIRMAN.

Case No. – OA 203 of 2022. ANINDITA KAR NAG –VS-THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order

For the Applicant

: Mrs. S. Mitra,

Advocate.

 $\frac{3}{26.7.2022}$

For the State Respondents

: Mr. M.N. Roy, Advocate.

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

In the application Anindita Kar Nag, the applicant, who is Assistant Mistress in Geography in Krishnanagar Government Girls' High School has prayed for certain reliefs, the relevant portion of which is as under:-

"...a. An order commanding/directing the concerned respondent authority herein to consider the applications of the applicants made by the applicant praying for transfer to any school situated in Kolkata and thereby dispose of the same by passing a reasoned order within a stipulated period of time upon granting an opportunity of hearing to the Applicant upon considering all material records in accordance with law forthwith;

b. An order commanding/directing concerned respondent authority to immediately allow transfer in favour of the applicant in any school near to the residence of the applicant without any prejudice to her continuity in service and admissible service benefits in accordance with law forthwith;."

It is submitted by Mrs. S. Mitra, learned advocate for the applicant since the applicant has to commute every day from her residence at Kharda to Krishnanagar and has a child and has to look after old parents and as her

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husband is not in a proper state of health, the respondents may be directed to consider the representations dated 28th July, 2014, 20th July, 2016, 6th January, 2021 and 24th December, 2021 praying for transfer.

Mr. M.N. Roy, learned advocate for the State respondents submits if directed the State respondents will consider the representations in accordance with law.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of granting liberty to the applicant to file representation praying for transfer and ventilating her grievances before the Commissioner of School Education, School Education Department, Government of West Bengal, - the respondent no. 2 within eight weeks along with a copy of this order downloaded from the website of the Tribunal. If representation is filed within the time as stipulated, the Commissioner of School Education, - the respondent no. 2, shall dispose of the same by passing a reasoned order to be communicated to the parties within eight weeks after giving an opportunity of hearing and after making necessary enquiry.

(SOUMITRA PAL) CHAIRMAN.

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