

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 294 of 2024.

DOCTOR NAREN SARKAR - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

02
18.07.2024

For the Applicant : Mrs. C. Bhattacharya,
Mrs. S. Mitra,
Learned Advocates.

For the State Respondents : Mr. G.P. Banerjee,
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 (Pt. – II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The prayer in this application is for setting aside the impugned transfer order dated 26.7.2022 by which the applicant was transferred to the post of Assistant Professor in Jalpaiguri Government Medical College to Purulia Medical College & Hospital. Though the applicant complied with such transfer order and joined the new post at Jalpaiguri, but continued to furnish representations before the Respondent authorities seeking transfer to any post in any of the following districts Purulia, Howrah and Hooghly.

Mr. Banerjee, learned counsel appearing on behalf of the State respondents has submitted that though the applicant joined the new post in Jalpaiguri as per the transfer order on 29.7.2022, but after joining he remained absent till date. Several show cause notices were issued to the applicant for his unauthorised absence but neither did he resume his duty nor he replied to these notices.

Having heard the submissions of the learned counsels of both sides and considering the facts and circumstances of this case, the Tribunal leaves it to the discretion of the competent authority, the Principal Secretary of the Department of Health and Family Welfare for taking a final decision in this matter. Though the Tribunal has not gone into the merits of the matter, but on the very surface through submissions and records, it appears to the Tribunal that the applicant has been requesting for a transfer to Purulia or nearby places. His representations for transfer to

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Purulia to join his wife, also a Medical Doctor with two minor children appears to be reasonable. Let such consideration of his prayers be taken within 60 (sixty) days from the date of communication of this order. Accordingly, this application is disposed of.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

HS/Skg.

WEST BENGAL ADMINISTRATIVE TRIBUNAL