

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 36 of 2024

SUKUMAR TUDU -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. G.P. Banerjee, Ld. Advocate.
Ms. M. Manna, Ld. Advocate.

For the State Respondent : Mr. R.K. Mondal, Ld. Advocate.

02
13.03.2024

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.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

Mr. Banerjee has submitted that due to the serious ailment of his parents, he has sought a transfer from the present place of posting in Alipurduar to any of the places desired in his representation. Such representation was furnished before the Director of Health Services by the applicant dated 08.11.2023.

Appearing on behalf of the State respondents Mr. Mondal submits that transfer is incidental to the service life of an employee and in this case, such a transfer was made on promotion.

Having heard the submissions and considering the fact that this prayer relates to transfer, the respondent no. 2, the Director of Health Services is directed to consider and dispose of such representation for transfer as per transfer rules.

Mr. Banerjee having heard the dictation of this order, prays for setting a specific time line of three (03) months for the respondent to consider and dispose of such application. However, in the opinion of this Tribunal, in this application, neither any malafide intention nor any victimisation have been shown against the applicant by such transfer. Therefore, the Tribunal does not feel it appropriate to fix any deadline on the respondent to comply this Tribunal's order. Let the respondent consider his representation and dispose of the same in accordance with transfer and promotion rules within a reasonable period of time.

Accordingly, this application is **disposed of**.

SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)