

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 391 of 2023

Bhaskar Roy -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. S. K. Mondal,
Ms. T. Bhattacharya,
Ld. Advocates.
For the State respondent : Ms. R. Sarkar,
Mr. S. Debroy,
Mrs. A. Bhattacharya,
Depttl. Reps.

01
16.06.2023

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.

This application has been filed with a prayer for setting aside the transfer order passed by the respondent and subsequent release order dated 16.05.2023. The applicant, Bhaskar Roy, UDC posted in the office of the B.L.&L.R.O., Suri-I, Birbhum has been transferred to the office of the B.L.&L.R.O., Rampurhat-II. The order of the transfer was also given effect by a release order dated 16.05.2023 by which the applicant "stand released". Subsequently, in compliance with the transfer and release order, the applicant has also joined the next place of posting in Rampurhat-II Block. Mr. Mondal submits the following grounds for setting aside the transfer and release order which are :

- i) That the applicant has been subjected to frequent transfer by the respondents. Only 9 months ago, he was transferred from Luvpur to Suri-I.
- ii) That the applicant will be superannuating in December 2024.
- iii) Although there are other UDCs in different establishments of the office of the Government, but only this applicant was picked up for transfer, which is an arbitrary and discriminatory action on the part of the respondents.

ORDER SHEET

Bhaskar Roy

Form No.

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In conclusive, Mr. Mondal submits that the applicant has furnished a representation for reconsideration of this transfer order with a request to transfer and post him in an around Suri Town, which is the residence of the applicant.

Ms. Sarkar, the Departmental Representative for the respondents in response submits that this transfer was not arbitrary, but made on purely administrative reasons.

After hearing the submissions of the learned counsel and the Departmental Representative of the State respondents, let this matter be listed under the heading “**For Orders**” on **08.09.2023**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS