

**ORDER SHEET**  
**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

**Present-**

**The Hon'ble Justice Soumitra Pal, Chairman**

**Case No. - OA 432 OF 2022**

**AMAR KUMAR MANDAL - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicants	:	Mr. Kanak Kiran Bandyopadhyay, Advocate
<u>3</u> 02.08.2022	For the State Respondents	:	Mr. Shaon Bhattacharya, 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 11<sup>th</sup> February, 2022 issued in exercise of the powers conferred under section 6(5) of the Administrative Tribunals Act, 1985.

In this application, Mr. Amar Kumar Mandal, the applicant, - Deputy Ranger / Forester, under the Directorate of Forests, office of the Divisional Forest Officer, Panchet Division, Satyajit Sarani, Bishnupur, Bankura, - has prayed for certain reliefs, the relevant portion of which is as under:

- “a) An order directing the Respondent authorities to forthwith withdraw the impugned transfer order dated 09.06.2022 issued by Respondent No. 3 being Annexure – C after quashing and / or setting aside the same;*
- b) An order directing the Respondent authorities to withdraw the impugned order of rejection dated 13.07.2022 passed by the Respondent No. 3 being Annexure-E after quashing and/or setting aside the same;*
- c) An order directing the Respondent authorities particularly Respondent No. 3 to consider the fresh representation of the applicant dated 17.06.2022;”*

It is submitted by Mr. Kanak Kiran Bandyopadhyay, learned advocate for the applicant that though the representation dated 13<sup>th</sup> June, 2022, praying for posting at any place attached to Bishnupur Town has been rejected by the impugned memo dated 13<sup>th</sup> June, 2022 issued by the Divisional Forest Officer,

**ORDER SHEET**

Form No.

**AMAR KUMAR MANDAL**

Case No. : **OA 432 OF 2022**

**Vs.**  
**THE STATE OF WEST BENGAL & ORS.**

Panchet Division, Bishnupur, being annexure 'E' to the application and as a further representation dated 17<sup>th</sup> June, 2022, being annexure 'F', has been made, the respondents may be directed to reconsider the matter.

Mr. Gautam Pathak Banerjee, learned advocate appearing on behalf of the State respondents submits that the reasons for rejection of the representation dated 13<sup>th</sup> June, 2022 is evident from the intimation dated 13<sup>th</sup> June, 2022. Evidently, as the applicant underwent training in the West Bengal Forest School, Dow-Hill, for requirement of his service at the field level for the well being of the said Division and the applicant has undergone training, now he cannot go back and challenge the order of transfer. In this regard, he has relied on the judgement of the Supreme Court in State of Uttar Pradesh and Others vs. Gobardhan Lal : (2004) 11 SCC 402, particularly, the law laid down in paragraphs 7 and 8 thereof.

In reply, it is submitted on behalf of the applicant that liberty may be granted to file a representation ventilating his grievances in detail before the Divisional Forest Officer, Panchet Division, Satyajit Sarani, Bishnupur, Bankura, the respondent no.3 and the said respondent may be directed to consider the same after he joins the post.

Having heard the learned advocates for the parties, in view of the submission made on behalf of the applicant and considering the facts and circumstances of the case, the application is disposed of by granting liberty to the applicant to file representation ventilating his grievances afresh before the Divisional Forest Officer, Panchet Division, Satyajit Sarani, Bishnupur, Bankura, the respondent no.3. If representation is filed, the respondent no.3 shall consider and dispose of the same by passing a reasoned order to be communicated to the parties within ten days from the date of furnishing a copy of this order downloaded from the website of the Tribunal and after the applicant joins the transferred post.

SCN.

(SOUMITRA PAL)  
CHAIRMAN