

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 520 of 2023

Amitava Dey Sarkar -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order For the Applicant : Mr. M. Mandal, Ld. Advocate.
For the State respondent : None.

01
20.09.2023

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 counsel, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

The applicant being a UDC working under District Inspector of Schools (SE), Howrah was due for superannuation on 31.05.2023. To his surprise, a transfer order was issued by the Commissioner of School Education on 12.05.2023 transferring him to Hooghly with only 18 days left of his active service till his superannuation. During this period, the applicant was on medical leave from 01.05.2023. Praying for cancellation of such transfer when he was on the verge of superannuation, the applicant preferred a representation before the respondent authority on 25.05.2023. Ignoring his representation, he was released from the present post with a direction to join the new post. Since he could not join the new place of posting, a Show Cause was also issued against him directing him to reply to the charges.

Mr. Mandal, learned counsel appearing on behalf of the applicant submits that though a Show Cause was issued but the copy of charges framed against him have not been served upon the applicant. The applicant had written a representation on 29.05.2023 with a request to the District Inspector of Schools (SE), Howrah to give copy of such charge against him. After availing leave from 01.05.2023 to 30.05.2023, the applicant reported for duty before the District Inspector of Schools (SE), Howrah on 31.05.2023.

The matter is admitted.

Let the matter appear under the heading “**Hearing**” on **11.01.2024**.

Reply and rejoinder, if any, in the meantime.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)