

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

The Hon'ble Sayeed Ahmed Baba, Administrative Member

Case No. –OA 593 of 2021

**DR. NIRMAL KUMAR SANA - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order For the Applicant : Mr.S.R.Das  
Advocate

02  
10.09.2021 For the State respondents : Mr.G.P.Banerjee  
Advocate

Let affidavit of service filed today be kept on record. Since despite service of notice none appears on behalf of the respondents, Mr.G.P.Banerjee, learned advocate who normally appears on behalf of the State respondent, is requested to appear in this matter. Let a copy of the application be served by Mr.S.R.Das, learned advocate for the applicant in course of this day. The Legal Remembrancer, West Bengal, is directed to regularise the appointment of Mr.Banerjee.

In this application, Dr. Nirmal Kumar Sana, the applicant, who has been transferred to the ADHS (Filaria) to DDHS (North Bengal Zone) Uttar Kanya on promotion, has prayed for the amendment and modification of the order of transfer dated 2<sup>nd</sup> August, 2021 on several grounds.

Mr. Das submits that though a representation appearing at page 35 of the application praying for reconsideration/ modification of the order of transfer on promotion was furnished before the Director of Health Services, Department of Health and Family Welfare, Government of West Bengal, the respondent no.3, it has not been considered. Submission is direction may be issued on the State respondents to consider the said representation appearing at page 35 of the application.

Mr.Banerjee, submits, if directed, the State respondents will consider the matter in accordance with law.

Having heard the learned advocates for the parties and considering the

**ORDER SHEET**

Form No.

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facts and circumstances of the case and as prayed for on behalf of the applicant, the application is disposed of by directing the Director of Health Services, Department of Health and Family Welfare, Government of West Bengal, the respondent no.3 to dispose of the representation, appearing at page 35 of the application, by passing a reasoned order to be communicated to the parties within six weeks from the date of presentation of a copy of this order downloaded from the website after giving an opportunity of hearing and after making necessary enquiry.

Since for circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copy of the order downloaded from the website.

(SAYEED AHMED BABA)  
MEMBER(A)

(SOUMITRA PAL)  
CHAIRMAN

BLR