

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).**

Case No. – OA 652 of 2024.

UTPAL SARKAR - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and  
Date of order

01  
02.01.2025

For the Applicant : Mr. M.N. Roy,  
Advocate.  
For the State Respondents : None.

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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Affidavit of service filed today be kept on record.

The applicant has filed this application praying for setting aside the impugned order of transfer dated 27.11.2024. By this order, the applicant, working as a Head Clerk in the North Bengal Medical College and Hospital, Darjeeling was transferred to Karandighi Rural Hospital, Uttar Dinajpur. This order also involved transfers of two other Head Clerks. In compliance to the order of the Director of Health Services, the Principal of North Bengal Medical College and Hospital released the applicant for his subsequent joining in the same capacity at Karandighi Rural Hospital, Uttar Dinajpur. From the submissions and the papers in this application, it is clear that the applicant did not join in his new place of posting. On 03.12.2024, he furnished a representation before the Director of Health Services praying for cancellation of the transfer order citing family reasons, in particular, the medical condition of his 21-year old son. In the representation, he has also stated that the son is preparing for his Board examination.

The Tribunal, after hearing the submissions and considering the documents, is of the clear view that it cannot interfere in the matters relating to transfer of employees. However, since the applicant's transfer has come at a time when his son is appearing for the Board exam, the Tribunal would only advice the Respondent no. 2 – The Director of Health Services to consider the representation

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filed by the applicant before him dated 03.12.2024 and dispose of the same within a reasonable period of time.

With the above observation, this application is disposed of.

(SAYEED AHMED BABA)  
Officiating Chairperson and Member (A)

SkG/SM.

WEST BENGAL ADMINISTRATIVE TRIBUNAL