

ORDER SHEET

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 662 of 2021

Purna Chandra Badyakar - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order For the Applicant : Mr. F. Bandyopadhyay Advocates.

02
08.10.2021 For the State respondents : Mr. M.N. Roy, Advocate.

Affidavit of service filed be kept on record.

In this application Mr. Purna Chandra Badyakar, Peon, has challenged the order of transfer dated 10th August, 2021 transferring him from Suri, Birbhum to Bolpur in Birbhum, on several grounds. The relevant portion of the prayer is as under :

“ (a) A order directing upon the Respondents to recall and/or quash the transfer order against you petitioner vide Memo No. 1301(1-4)BHM dated 10.08,2021 allow the petitioner to continue his service as a Peon in Suri Birbhum Division.

(b) A order directing upon the Respondents to consider the representation dated 25.08.2021.”

Mr. F. Bandhyopadhyay, learned advocate for the applicant submits since the applicant is ill and requires regular medical assistance and his wife is also ill and since representation dated 25th August 2021 has been submitted praying for cancellation of the order of transfer, appropriate order may be passed for cancellation of the order of transfer and the consequent release order.

Mr. M.N. Roy, learned advocate appearing for the State respondents submits that the application is without merit as the applicant is in the post at Suri since 1996 and since release order has

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been passed and Bolpur, the place where he has been transferred is about 45 kilometres, the order of transfer may not be interfered with. However, if directed, the respondent authorities will consider the representation of the applicant.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Superintending Engineer, Central Circle, Public Health Engineering Directorate, Burdwan, the respondent no. 4, to dispose of the representation dated 25th August 2021, appearing at annexure 'G' to the application, by passing a reasoned order to be communicated to the parties after considering the case of the applicant sympathetically within four weeks from the date of presentation of a copy of this order downloaded from the website of this Tribunal, after giving an opportunity of hearing and after verifying the records, after the applicant joins the post at Bolpur.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN

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