

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 860 OF 2021

SWARUP KUMAR DAS - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and

Date of order

02

01.02.2022

For the Applicant

: Mr. Manujendra Narayan Roy,
Md. Hafiz Ali,
Advocates

For the Respondents

: Mr. Gautam Pathak Banerjee,
Advocate

Let affidavit of service filed today be kept on record. As prayed for by Mr. Manujendra Narayan Roy, learned advocate for the applicant, leave granted to file supplementary affidavit. Let supplementary affidavit be filed be kept on record. Let copy of the same be furnished to Mr. Gautam Pathak Banerjee, learned advocate appearing on behalf of the State respondents, which is served and accepted.

In this application, Swarup Kumar Das, the applicant, - an Upper Division Clerk in the office of the Additional District Sub-Registrar, Kandi, Murshidabad, - has challenged the memo dated 2nd December, 2021 transferring him from Kandi to Shaktipur in the same district.

It is submitted by Mr. Roy since the applicant is very ill and has forgone promotion, and is going to superannuate within four years, the order of transfer be set aside. Since representation dated 17th January, 2022 has been submitted before the District Registrar, Murshidabad praying for withdrawal of the order of transfer dated 2nd December, 2021, the respondents may be directed to consider the same.

Mr. Banerjee, learned advocate submits that since transfer is a part of service career, no order may be passed. However, it is submitted that he does not oppose the prayer for consideration of the representation dated 17th January, 2022.

Having heard the learned advocates for the parties and considering the facts

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and circumstances of the case, the application is disposed of by directing the District Registrar, Murshidabad, the respondent no.3 to consider the representation dated 17th January, 2022, being annexed to the supplementary affidavit, and shall pass a reasoned order to be communicated to the parties within four weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal after giving an opportunity of hearing and after verifying the records.

Let plain copies of this order be given to the parties on usual undertaking.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN