

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

Hon'ble Justice Soumitra Pal, Hon'ble Chairman &
Hon'ble Mr. P. Ramesh Kumar, Administrative Member.

CASE NO. OA 126 of 2020.

DR. SWASTHIKA BANERJEE – Vs- THE STATE OF WEST BENGAL AND OTHERS.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;">2</p> <hr/> <p>4.3.2020.</p>	<p>For the Applicant : Mr. M.N. Roy, Advocate.</p> <p>For the State Respondents : Mr. S. Ghosh, Advocate.</p> <p style="text-align: center;">Affidavit of service filed today be kept on record.</p> <p style="text-align: center;">In this application, the applicant has challenged the transfer order dated 18th February, 2020 transferring her from Paschim Bardhaman to Bolpur Sub Divisional Hospital, Birbhum as Superintendent.</p> <p style="text-align: center;">At the very outset, Mr. M.N. Roy, learned advocate for the applicant submits that since transfer is an incident of service and the applicant has to comply the same, however, since her husband is undergoing the course in Post Graduation in Radiotherapy which is to conclude on 13th April, 2020 and as she has a two and half year girl child, the transfer order may be deferred till 30th April, 2020.</p> <p style="text-align: center;">Mr. S. Ghosh, learned advocate for the State respondent submits that since the transfer is an incident of service, no order may be passed.</p> <p style="text-align: center;">Having heard the learned advocates for the</p>	

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Skg.	<p>parties, since the applicant has accepted the transfer order as evident from paragraph 4(vii) of the application, and having regard to the fact that the educational course of her husband will conclude on 13th April, 2020 and she has a two and half year old child, the application is disposed of by directing the Principal Secretary/the Additional Chief Secretary, Department of Health and Family Welfare, Government of West Bengal, the respondent no. 1, to defer the order of transfer dated 18th February, 2020 till 30th April, 2020 when she will join the transferred post at Bolpur, Birbhum, failing which the respondents are at liberty to take appropriate action.</p> <p>(P. Ramesh Kumar) Member (A)</p> <p>(Soumitra Pal) Chairman.</p>	