

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

The Hon'ble Justice Ranjit Kumar Bag  
& The Hon'ble Subesh Kumar Das

Case No. **OA- 366 OF 2016**

**DR ROHAN HALDER Vs. STATE OF WEST BENGAL & ORS.**

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><u>10</u> 04.06.18</p>	<p>For the Applicant : Mr.G.P.Banerjee Learned Advocate</p> <p>For the Respondent : Mr.S.N.Ray Learned Advocate</p> <p>The applicant is working as Medical Officer, Aranghata Block Primary Health Centre in the district of Nadia. By notification dated February 23, 2016 issued by the Respondent No. 2, the applicant was transferred to act as Medical Officer, Dinhata Sub-Divisional Hospital, Coochbehar. The applicant has prayed for quashing of the said notification dated February 23, 2016.</p> <p>Mr.Banerjee, Learned Counsel for the applicant submits that the applicant has submitted one representation dated March 21, 2016 before the Respondent No. 1 through speed post on March 28, 2016 and the said representation has not yet been considered by the said respondent. He has prayed for consideration of the representation of the applicant within stipulated period of time. Mr.S.N.Ray, Learned Counsel representing the respondents has not disputed the submission made by Mr.Banerjee for consideration of the representation in accordance with law.</p>	

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	<p>In view of such submission from the Bar, the Respondent No.1, Principal Secretary, Department of Health &amp; Family Welfare, Government of West Bengal is directed to consider the representation submitted by the applicant by Speed Post on March 28, 2016 (Annexure-D to the original application) in accordance with law within a period of six (6) weeks from the date of communication of the order. If the representation of the application is allowed by the Respondent No.1, the order of transfer of the applicant will be modified by the Respondent No.1 within a period of four (4) weeks from the date of disposal of the representation. If the representation of the applicant is rejected by the Respondent No. 1, the applicant will join his new place of posting within the period of joining time admissible under the Rules from the date of disposal of the representation.</p> <p>The interim order of suspension of notification dated February 23, 2016 issued by the Respondent No.2 will remain in force till the date of disposal of the representation by the Respondent No.1.</p>	

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BLR	<p>With the above direction, the original application stands disposed of.</p> <p>Let a plain copy of the order be supplied to both parties.</p> <p style="text-align: center;">(S.K.Das) MEMBER(A)</p> <p style="text-align: center;">(R.K.Bag) MEMBER (J)</p>	