

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Justice Soumitra Pal (Chairman)****& The Hon'ble P.Ramesh Kumar (Administrative Member)****Case No. OA- 816 OF 2018****SMT. SEFALI ADHIKARY Vs. THE 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 style="text-align: center;"><u>02</u> 31.01.19</p>	<p>For the Applicant : Mr.K.Chakraborty Mrs.S.Mitra Advocates</p> <p>For the Respondents : Mr.M.N.Roy Advocate</p> <p style="text-align: center;">Affidavit of service filed today be kept on record.</p> <p>In this application, the applicant, stated to be a Cook in the office of the Commanding Officer, SAP. 9<sup>th</sup> Bn. Sandhya, Krishnanagar, Nadia has prayed for a direction upon the respondents to consider and dispose of her representation dated 15<sup>th</sup> June, 2018 in the light of the recommendation made in the Memo. dated 10<sup>th</sup> April, 2017 issued by the Additional Director General of Police and Inspector General of Police, Armed Police, West Bengal.</p> <p>Mr.K.Chakraborty, learned advocate for the applicant, appearing along with Mrs.S.Mitra, learned advocate submits that since present place of posting of the applicant does not have proper facilities for a woman as evident from the statements made in paragraph 6 (g) and (h) of the application, appropriate order may be passed directing them to consider the representation in the light of the recommendation made</p>	

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	<p>by the Additional Director General and Inspector General of Police.</p> <p>Mr.M.N.Roy, learned advocate appearing on behalf of the respondent disputing the facts submits that by an order dated 21<sup>st</sup> April, 2015 passed in WPST-108 of 2015, the High Court had directed the Director General and Inspector General of Police, West Bengal to transfer her to any vacant Group -D post within the district of Nadia. Pursuant to the said order, she was transferred and posted as helper to a Cook and not Cook and it was within the meaning of any vacant post under Group-D. Disputing the statements, it is submitted that as appropriate infrastructure for female staff is in place, the statements in paragraph 6 (g) and (h) of the application are incorrect.</p> <p>Heard Mr.Chakraborty and Mr.Roy, learned advocates for the parties. Since there are disputed questions of fact and this tribunal is not in a position to adjudicate the same, considering such fact, the application is disposed of by directing the Inspector General of Police (HQ), West Bengal, Nabanna, Howrah, the respondent No. 7 to dispose of the representation</p>	

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BLR	<p>dated 15<sup>th</sup> June, 2018 appearing at page 46 of the application by passing a reasoned order to be communicated to the parties within eight weeks from the date of presentation of a copy of this order, after giving an opportunity of hearing and after making an enquiry about infrastructure in the work place of the applicant. It is made clear that we have not gone into the merit of the matter and all the points are left open to be dealt with by the respondent No. 7.</p> <p style="text-align: center;"> <b>(P.RAMESH KUMAR)</b>  <b>MEMBER(A)</b> </p> <p style="text-align: center;"> <b>(SOUMITRA PAL)</b>  <b>CHAIRMAN</b> </p>	