

**HIGH COURT OF TRIPURA  
AGARTALA**

WP(C) No.59 of 2023

**Sri Prasenjit Ghosh**

....Petitioner(s)

**Vs**

**The State of Tripura and 2 Ors**

....Respondent(s)

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| For the Petitioner(s) | : | Mr. D. Sarkar, Advocate |
| For the Respondent(s) | : | Mr. D. Sarma, Addl. GA  |

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**HON'BLE MR. JUSTICE ARINDAM LODH**

**Order**

**27/01/2023**

Heard Mr. D. Sarkar, learned counsel appearing for the petitioner. Also heard Mr. D. Sarma, learned Addl. GA appearing for the respondents-State.

By way of filing the instant writ petition, the petitioner has challenged the deputation order dated 28.12.2022 issued by the District Education Officer (I/C), Gomati District, Udaipur. The petitioner has alleged that he has been transferred/deputed frequently from one place to another.

It is the case of the petitioner that he was first appointed in the year 2017 and posted at Silachari H.S. School, Karbook. The petitioner was then transferred to Amarpur Girls H.S. School vide order dated 06.01.2020. Again, the petitioner was deputed to Ghorakappa H.S. School, Karbook vide order dated 22.01.2020 and vide order dated 04.09.2020, he was again transferred to Silachari

H.S. School from Ghorakappa H.S. School. Lastly, vide order dated 28.12.2022, the petitioner was again transferred on deputation to Haza Chari H.S. School, Karbook, Gomati Tripura.

The petitioner has alleged malice behind his frequent transfer orders.

I have considered the submission of learned counsel appearing for the petitioner.

Frequent transfer is ordinarily considered as arbitrary. But, I find that on two occasions the petitioner was sent on deputation only in administrative exigencies. The petitioner is a resident of Amarpur, Gomati District, Tripura. Both Silachari H.S. School and Karbook H.S. School are not very far away from Amarpur i.e. from his permanent place of residence. It is now well-settled that transfer is an incidental to service.

The petitioner has stated in his petition that he underwent surgery due to spondylosis and also has been suffering from illness. In the ultimate analysis, posting orders of the petitioner at different places appear to be frequent which is not expected from a wise employer because it gives a feeling of insecurity to the employee and also unsettles his mind which undoubtedly affects the students who are supposed to be provided with quality education.

In view of this, the respondent authorities should refrain themselves from such frequent transfers or deputations for effective administration. Situated thus, I direct the petitioner to submit representation before the concerned authority within a period of 7 (seven) days from today. The respondent authorities shall consider and dispose of the representation of the petitioner within next 2 (two) weeks in the light of the above observations and directions

made by this Court here-in-above and pass necessary order so that he can be accommodated in a suitable place and can work to the best of his abilities.

Till such disposal of the representation, the impugned deputation order dated 28.12.2022 in respect of the petitioner Sri Prasenjit Ghosh shall be kept in abeyance. The entire process shall be completed within a period of 3 (three) weeks from today.

With the aforesaid observations and directions, the instant petition stands disposed.

**JUDGE**



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