

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.121 OF 2023**

Sri Krishnapada Banik
Vs.
Tripura Gramin Bank and ors.

HON'BLE THE CHIEF JUSTICE (ACTING)

Present:

For the Petitioner(s) : Mr. K. Nath, Advocate.

For the Respondent(s) : Mr. A.R. Barman, Advocate.

03.03.2023

Order

This case of the petitioner herein is that he is a resident of A.D. Nagar, Road No.15 Agartala. Bishnupada Banik, who is the brother of the petitioner is suffering from Intellectual Disability of upto 75%, the nature of the disability is permanent. There is no other in the house of the petitioner to take care of his disabled brother. By order, dated, 02.12.2022, the Chairman, Tripura Gramin Bank transferred the petitioner herein from the Tripura Gramin Bank, Bishsalgarh to Tripura Gramin Bank, Gandehera as Branch Head. Hence, the petitioner filed this instant petition praying for the following reliefs:-

"(i) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the respondents to transfer the petitioner from Tripura Gramin Bank, Gandacherra branch to head office of Tripura Gramin Bank or any other branch of Tripura Gramin Bank situated in Agartala to enable the petitioner to act as the care giver of his disabled unmarried brother.

(ii) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the respondents to consider the representation of the petitioner, dated 12.12.2022 and to give the petitioner choice posting to enable him to discharge the duty and responsibility of the care giver of his disabled brother.

(iii) Make the rules absolute.

(iv) Call for records.

(v) Pass any further order/orders as this Hon'ble Court Considered fit and proper."

Heard Mr. K. Nath, learned counsel appearing for the petitioner as well as Mr. A.R. Barman, learned counsel appearing for the respondents.

Mr. K. Nath, learned counsel appearing for the petitioner submits that his client has made a representation dated 12.12.2022 to the Head of the Department, P & A, Tripura Gramin Bank. In his representation, the petitioner stated that he is a caregiver of his differently able brother having 75% disability and as a caregiver, he is exempted from routine/rotational transfer. Till date, no response has been made to the representation of the petitioner by the respondents.

In view of the same, this instant writ petition is disposed of with a direction upon the respondents to consider the representation of the petitioner dated 12.12.2022 for reconsidering his transfer order dated 02.12.2022. This exercise shall be completed within a period of 2(two) months from the date of receipt of the copy of this order.

With the above observation and direction, this instant writ petition stands disposed of. As a sequel, stay order, if any, stands vacated. Pending application(s), if any also stand closed.

CHIEF JUSTICE(ACTING)

suhanjit

