

GAHC010096402024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/2530/2024

NAYANJYOTI DAS
S/O ATUL CHANDRA DAS, R/O SATGAON ROAD, OPP. SONAI MIKIR PATH,
P.O.-UDAYAN VIHAR, P.S.-SATGAON, GUWAHATI-781171, ASSAM

VERSUS

ASSAM GRAMIN VIKASH BANK AND ANR
H.O. AT BHANGAGARH, G.S. ROAD, GUWAHATI-781005

2:THE REGIONAL MANAGER
ASSAM GRAMIN VIKASH BANK
KOKRAJHA

Advocate for the Petitioner : DR. R SARMAH

Advocate for the Respondent : SC, A G V B

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 14.05.2024

Heard Dr. R. Sarmah, learned counsel for the petitioner as well as Mr. A. Ganguly, learned counsel for respondent nos. 1 and 2.

2. By projecting that the father of the petitioner, his wife and his specially

abled sister require medical assistance, the petitioner is seeking to be retained in the Kokrajhar district. Accordingly, the transfer order of the petitioner dated 09.05.2024 as well as the earlier transfer order dated 18.04.2022 are under challenge by filing this writ petition under Article 226 of the Constitution of India.

3. The learned counsel for the respondents has produced a copy of proceedings pertaining to personal hearing provided to the petitioner pursuant to order dated 26.03.2024 passed by this Court in WP(C) 2970/2022 and it is submitted that as per his oral instruction received and from the contents of the said proceedings, it appears that the medical documents which are annexed in this writ petition were not placed before the competent Authorities.

4. Having noted the nature of grievance which is expressed by the petitioner, without entering into the merit and without determining the right of the petitioner, the Court is of the considered opinion that the petitioner be permitted to submit a fresh representation before the Head of Department (Personnel), Assam Gramin Vikash Bank within a period of a week from today along with all documents upon which he intends to rely on. The said authority shall dispose of the representation of the petitioner within a period of one week thereafter and the result of the determination shall be served on the petitioner either by e-mail or by WhatsApp.

5. This order has been passed taking into consideration that the nature of grievance expressed by the petitioner and therefore, this order is not to be treated as a precedent.

6. By granting liberty to the petitioner to submit a fresh representation, this writ petition stands closed. The enforcement of the order of transfer shall

be subject to the outcome of the representation of the petitioner.

7. The copy of proceedings of personal hearing granted to the petitioner, which is produced by the learned counsel for the petitioner is kept as a part of record.

JUDGE

Comparing Assistant