

THE HIGH COURT OF TRIPURA
AGARTALA

W.A. 17 of 2015

Sri Bhajan Bhowmik,
S/O Late Gouranga Bhowmik
Resident of village- Ichamuya,
P.O. Reshambagan, PIN-799008
District-West Tripura, Agartala.

.... **Appellant**

VERSUS

1. The State of Tripura

Represented by the Secretary
Department of Schedule Caste Welfare
Government of Tripura, New Secretariat Complex
P.O. Kunjaban, PIN- 799006, Agartala, West Tripura

2. The Director

Department of Schedule Caste Welfare
Government of Tripura, P.N. Complex, Gurkhabasti,
P.O. Kunjaban, PIN- 799006, Agartala, West Tripura

.... **Respondents**

BEFORE

THE HON'BLE CHIEF JUSTICE MR. DEEPAK GUPTA
THE HON'BLE MR. JUSTICE U.B. SAHA

For the appellant : Mr. CS Sinha, Advocate

For the respondents : Mr. TD Majumder, Government Advocate

Date of hearing and : 30.07.2015.
delivery of judgment.

Whether fit for reporting : NO

JUDGMENT & ORDER(ORAL)

Deepak Gupta, CJ

By means of this appeal, the appellant has challenged the judgment dated 06.07.2015 passed by a learned Single Judge of this Court whereby the writ petition filed by the petitioner for quashing his transfer order has been rejected.

2. The appellant was working as Lower Division Clerk in the Director of Scheduled Caste, Pandit Nehru Complex, Gurkhabasti, Agartala and he has been transferred by memo dated 12.03.2015 to the office of the District Welfare Officer, Gomati District, Udaipur.

3. The case of the appellant is that his wife had two miscarriages in the previous two years and now she is again pregnant and she is in the fourth month of pregnancy. According to the appellant, she is under treatment of a doctor who comes from Kolkata and, therefore, the appellant may not be transferred to Udaipur till she delivers. The appellant apprehends that he will not get proper medical aid at Udaipur.

4. We have gone through the entire documents, including the medical record. We find nothing in the medical record which would show that the problem of the wife of the appellant is so serious that she cannot be treated at the hospital at Udaipur. Pregnancy is a normal part of a women's growth and from the prescriptions on record it is not apparent that there is any serious gynecological problem.

5. Transfer is an incidence of any service and the Court normally does not interfere in transfer unless the transfer is malafide or against the settled policy of transfer, if any, framed by the Court.

6. Therefore, we find no merit in the appeal which is accordingly dismissed.

JUDGE

CHIEF JUSTICE

Saikat