HIGH COURT OF TRIPURA
AGARTALA

WP(C) No.769/2020

Smt. Purnima Debbarma

----Petitioner(s)

Versus

The State of Tripura & another

-----Respondent(s)

Along with

WP(C) No.770/2020

Smt. Jhuma Kar

----Petitioner(s)

Versus

The State of Tripura & another

-----Respondent(s)

WP(C) No.771/2020

Shri Sadhan Chandra Sarkar

----Petitioner(s)

Versus

The State of Tripura & another

-----Respondent(s)

For Petitioner(s) : Mr. C.S. Sinha, Advocate.

For Respondent(s) : Mr. Debalay Bhattacharjee, G.A.

HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI

Order

25/11/2020

All the petitioners are Government teachers. They have been transferred at various places from their existing schools. The petitioners contend that each one of them has young son or daughter who is differently

abled. They point out that the Central Government has also made special provisions for principal caretaker of such a child essentially providing that such employees would be spared the routine transfers.

Even otherwise, it can be easily appreciated that a parent of a child suffering from major challenges, would require greater support from the family, from the society as well as the Government as an employer. They cannot be and should not be subjected to routine transfers without full consideration of their difficulties. For example, a mother who is serving as a full time teacher and also looking after a young son or daughter who is unable to take care of the daily pursuits without support or guidance of an elder, would have a difficult job on hand. If such a person is routinely and frequently transferred, the same would undoubtedly result into great personal hardship. Transfer leads to uprooting a family from a settled position. It also requires resettlement at a new place. If such a place is also a remote area where medical facilities are not easily available, the same would be an additional challenge.

All these issues, however, at the first stage must be considered by the Government. For such purpose, let all the petitioners make detailed representations to the competent authority for reconsideration of their transfers. If such representations for any of them are made within a period of

one week from today, the same shall be decided by the competent authority sympathetically and keeping in view the various Government circulars within two weeks of the receipt. Till this is done, none of the petitioners shall be disturbed from the present place of working.

Petitions are disposed of accordingly.

(AKIL KURESHI), CJ

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HIGH COURT OF TRIPURA
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