

23.06.2021
SL No.19
Court No.16
(gc)

WPST 52 of 2021

**Smt. Manisha Halder
Vs.
The State of West Bengal & Ors.
(Via Video Conference)**

Mr. Debasish Banerjee,
Mr. P. Basu,
...for the Petitioner.
Ms. Chaitali Bhattacharya,
Ms. Sanjukta Samanta,
...for the State.

We have heard the learned Counsel for the parties.

The order of transfer was under challenge before the West Bengal Administrative Tribunal. The learned Tribunal on consideration of the materials on record granted liberty to the applicant to file a representation ventilating her grievance before the respondent No.2 along with a copy of the order passed by the learned Tribunal within four weeks after she joins the post as Senior Lecturer, DIET, Jalpaiguri, pursuant to the order dated 23rd February, 2021. In view of the fact that the State has declared lockdown even today if we direct the writ petitioner to join the transferred post, she would not be able to join.

On such consideration, we dispose of this writ application by directing the respondent No.2 to dispose of her representation dated 24th February, 2021 within a period of two weeks from the date of communication of this order by either of the parties on the virtual mode if physical

hearing is not possible and dispose of the said representation by a reasoned order which shall be communicated to the writ petitioner within one week from the date of the order to be passed by the Director in terms of this order. Till such time the order of transfer shall remain stayed. We make it clear that we have not gone into the merits of the transfer order. The Director shall decide the matter uninfluenced by any observation made by us in this order.

With the aforesaid observation, the writ petition, being WPST 52 of 2021, stands disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)

(Soumen Sen, J.)