

10.09.2021
Sl. No.15
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE
(Via Video Conference)

WPA 13702 of 2021

Venkata Ramana B.
Vs.
Union of India & Ors.

Mr. Shamik Chatterjee
.....for the petitioner.
Mr. Rajdeep Biswas
.....for the respondent nos.1 to 2.

Affidavit of service filed in Court today is taken on record.

The petitioner joined the North Bengal Regiment on deputation after being transferred from Jammu Unit of the Border Security Force with effect from July, 2017. The petitioner on deputation has been posted at different places in West Bengal as part of the North Bengal Regiment. The petitioner has now been asked to join his parent unit at Jammu. The petitioner is seeking extension of the deputation period to allow the petitioner to continue with the North Bengal Regiment. According to the petitioner, five years' time period on deputation can be allowed. Only four years have expired since he joined on deputation in July 2017. The petitioner has made a representation as against the refusal to grant extension on deputation beyond four years' time period. The said representation was sent on 26th August, 2021.

The petitioner shall join his parent unit without prejudice to his rights and contention by 6th October, 2021 so that joining thereat cannot be contended as

to the petitioner having accepted the rejection of the extension on deputation sought for by the petitioner.

The petitioner's representation sent on 26th August, 2021, shall be decided by passing a reasoned order after affording the petitioner a reasonable opportunity of hearing following the prevailing COVID – 19 protocol within a period of twelve weeks from the date of communication of a server copy of this order without insisting upon production of the certified copy thereof. The concerned authority of the respondents immediately upon the reasoned order being passed shall communicate the same to the petitioner.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of necessary formalities.

(Arindam Mukherjee, J.)