

22.11.2021
Sl. No.20
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 18131 of 2021

Soumen Ganguli
Vs.
Union of India & Ors.

Mr. Victor Chatterjee,
Mr. Barnamay Basak
....for the petitioner.
Mr. Mrinal Kanti Mukherjee
....for the respondents.

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

The petitioner is a Constable/General Duty (GD) in Central Reserve Police Force (in short CRPF). The petitioner, on 7th February, 2019 and on 30th December, 2020, met with accidents resulting in fracture of his collar bone and left ankle respectively. The petitioner has been subsequently declared fit and has joined his duties at Asansol. The petitioner has now been transferred to Assam. The petitioner says that he has not fully recovered from his injuries and as such, is being allotted like duties. He says that he is not objecting to the transfer, but has requested the authorities to consider his case in a sympathetic manner and effect the transfer after a year.

It appears from the submission of CRPF, the employer that the petitioner's prayer for suspending

his transfer for a period of one year has been duly considered on 11th November, 2021 and has been rejected.

Considering the issue of transfer to be within the administrative domain of the employer to transfer an employee for the purpose of smooth administration and that the petitioner has been declared fit by the medical board constituted by the employer, I am not inclined to interfere with the order of transfer by suspending the petitioner's transfer by a period of one year.

In the facts and circumstances as aforesaid, I find no merit in this writ petition and the same is dismissed, however, without any order as to costs.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to be not accepted by the respondents.

(Arindam Mukherjee, J.)