

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 764 of 2022

Smt. Suguna Mohankudo
Vs.
Union of India & Ors.

Mr. Mansoor Alam
... For the petitioner

Mr. Debapriya Gupta
... For the respondents

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

Learned advocate appearing on behalf of the respondents, on instruction, submits that instead of transfer, the petitioner's husband who is in employment in Border Security Force (in short "BSF") and presently posted at Kashmir can be granted three months' leave for the treatment of his son, which involves transplantation of kidney at Bangalore scheduled to take place within a short while. This proposal is acceptable to Court as it may not be possible to transfer petitioner's husband to Bangalore, at the same time the petitioner's husband is required to be present at Bangalore for his son's treatment.

The petitioner's husband shall inform his employer about the leave and the period i.e., between which date and which date the leave is required by him for the treatment of his son at Bangalore and apply for the same.

The petitioner's husband shall also keep the respondents informed about the development of the treatment of his son while he is on leave to enable BSF authorities to take suitable administrative decision keeping in mind his availability.

The respondents shall sanction the leave of the petitioner's husband as may be applied and should also consider his case sympathetically to provide him with appropriate leave.

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.

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

(Arindam Mukherjee, J.)