

15.03.2022
Sl. No.21
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 3652 of 2022

Dr. Snigdha Halder
Vs.
The State of West Bengal & Ors.

Mr. Duke Banerjee
....for the petitioner.

Mr. Somnath Naskar
....for the State.

The petitioner is a Homeopathic doctor who has been engaged as a Medical Officer (AYUSH) under Rastriya Bal Swastha Karyakram (in short RBSK) in district Purba Medinipur. The petitioner says that she is the only daughter of her parents and her father, Basudev Halder is seriously ill with liver related ailment. The petitioner is, therefor, seeking transfer from Purba Medinipur to a convenient place near her residence at Sonarpur, South 24-Parganas so that she can perform her duties from Sonarpur and at the same time attend the needs of her father as and when required.

Transfer is a subject, which is more often left to the employer as it is not only a policy matter but also relates to the smooth administration.

In the instant case, since the petitioner seeks a transfer on the ground of ailment of her father, the

representation made by the petitioner on 17th December, 2021 to the respondent no.2 is directed to be considered and disposed of by the respondent no.2 within a period of two months from date after affording the petitioner a reasonable opportunity of hearing. If necessary, the petitioner's case may be considered as a special case on sympathetic ground. The reasoned order that may be passed shall be communicated to the petitioner within 10 days from the date of passing of the same.

Parties, including the respondent no.2, are directed to act on the basis of a server copy of this order without insisting upon production of a certified copy thereof.

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.)