

S/L 10
29.09.2022
Court. No. 19
sn

W.P.A.17947 of 2022

Suily Banerjee
VS
The State of West Bengal & Ors.

Mr. Supratim Dhar
Mr. Tirupati Mukherjee
... for the Petitioner

Mr. Lalit Mohan Mahata
Mr. Prasanta Behari Mahata ..for the State

The petitioner is aggrieved by an order of transfer issued by the Child Development Project Officer, Pandabeswar ICDS Project. The petitioner was transferred from North Jambad-36 Anganwari Centre to Talaboni Dangal-140, by an order dated July 29, 2021.

The petitioner's contention is that the transfer was punitive. According to the petitioner, complaints had been filed by the petitioner before the police authorities, which had given rise to an investigation. F.I.R. had been registered. The petitioner has reason to believe that a disciplinary proceeding may be initiated against the petitioner at any time in retaliation to the honest attempt of the petitioner to unearth the truth with regard to the theft of the articles from the go-down of the health centre, in which the petitioner had been posted.

Mr. Mahata, learned advocate for the State respondents submits that on the basis of the

petitioner's complaint, an FIR was registered and investigation is going on. Some local persons also made certain complaints. The authorities have not come to a final decision in this regard.

The order of transfer does not indicate that the same was issued as a punishment. No proceeding has yet been initiated against the petitioner. As such, the writ petition which is based on apprehension and conjecture, cannot be entertained.

This writ petition is disposed of without any orders and without affecting the right of the petitioner, in any other future proceeding that may be initiated or brought, against her.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)