

14.09.2022
DL-17
(PP)
Ct.21

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 19819 of 2022

Babita Datta
Vs.
Union of India & Ors.

Mr. Shyamal Mukherjee,
Mr. Sushanta Kr. Gangapadhyay,
Mr. Arun Kr. Chakraborty,
Ms. Subhasree Banerjee
....for the petitioner.

Mr. Pulakesh Bajpayee
....for the respondents/CRPF.

In this writ petition, the petitioner prays for stay of the transfer order dated July 21, 2022, vide Order No.01/2022-PER-DTE-P3DA7-PER-DG. The writ petitioner claims that since her only child was studying in a private school at Durgapur and will be appearing in Board examination during March-April, 2023, for which the registration has already been done, her case should be considered sympathetically for deferment of transfer from Range Durgapur to GC Raipur till June 30, 2023 so that she can provide proper education to her child.

Mr. Mukherjee, learned counsel, appearing for the petitioner states that the petitioner's husband is now stationed in Group Centre Siliguri. The petitioner's husband works as an Inspector with

Central Reserve Police Force (in short, CRPF) and the petitioner works as a Sub-Inspector with CRPF.

Mr. Bajpayee, learned counsel, appears on behalf of the respondents and submits that the petitioner's prayer for Child Care Leave may be considered as per the office orders dated July 7, 2022 and July 14, 2022.

The petitioner made a representation to the Deputy Inspector General of Police on August 2, 2022 for sanction of Child Care Leave for a period of 365 days.

Having considered the rival submissions of the parties and considering the materials placed on record, I direct the Deputy Inspector General of Police to consider the representation of the petitioner within 3 months from date. The reasoned order should be passed by him giving an opportunity of hearing to the petitioner. The said reasoned order shall be communicated to the petitioner within 2 weeks from the date of the order.

Having considered the provisions of the transfer policy of Ministerial/Stenographic/Official Language Cadre issued by the Directorate General, CRPF, this Court is of the view that the transfer order dated July 21, 2022 issued by the Directorate General, CRPF, be kept in abeyance till a reasoned order passed by the

Deputy Inspector General of Police, Raipur is communicated to the writ petitioner.

With the direction aforesaid, this writ petition, being **WPA 19819 of 2022**, is **disposed of**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J.)