

16.11.2022
Sl.No.25
sn

WPA 23921 of 2022

**Sumit Kumar Bera
Vs.
The State of West Bengal & Ors.**

**Mr. Dilip Kumar Shyamal
..for the petitioner
Mr. Ziaul Islam
Mr. Atarul Hoque Molla
..for the State**

It appears that the petitioner has made a representation before the District Panchayat & Rural Development Officer, South 24 Parganas, i.e., the respondent no.5, with a prayer for transfer to any Gram Panchayat within the Diamond Harbour Block. The said representation appears as Annexure P/5 at page 26 of the writ petition.

The learned advocate for the State respondents submits that the service rules do not permit transfer of panchayat karmees.

Without going into the correctness of the statements made by the petitioner, this writ petition is disposed of with a direction upon the District Panchayat & Rural Development Officer, South 24 Parganas to dispose of the representation of the petitioner, in accordance with law, upon hearing the petitioner and also the authorities of the Achintyanagar Gram Panchayat. If the rules and regulations permit transfer of panchayat karmees, the claim of the petitioner shall be considered in

accordance with law. If the provision for transfer is not available under the law, necessary orders shall be passed to that effect and intimated to the petitioner.

The allegation of the petitioner is that other persons who were similarly situated had been transferred on special grounds. Such contention shall also be considered at the hearing. Many instances have been mentioned in the writ petition.

The petitioner shall be entitled to be represented by a learned advocate.

The entire exercise shall be completed within a period of three months from the date of communication of this order.

The petitioner is directed to serve a copy of this writ petition along with a server copy of this order upon the District Panchayat & Rural Development Officer, South 24 Parganas.

This writ petition is disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)