

23
22.12.2022
S.D.

W.P.A. 28034 of 2022

Kimsuk Roy (Commander)

Vs.

Union of India & Ors.

Mr. Arik Banerjee
Mr. Barun Chatterjee

..For the Petitioner

Mr. Partha Ghosh

..For the U.O.I.

The petitioner has prayed for deferment of his transfer order till December 2022 vide written communication dated December 7, 2022. The petitioner has prayed to be transferred with effect from January 1, 2023. Such a written communication is annexed at page 37 of the writ petition.

The grievance in the writ petition is that the petitioner has been transferred with effect from December 8, 2022 by one Joydip Chakraborty, Captain despite the order of deferment dated August 8, 2022. By the said deferment order, the petitioner's transfer was deferred till December 2022. It is argued that pursuant to the said order of deferment, the petitioner's transfer should have been effected after December 31, 2022.

Mr. Ghosh, learned counsel appears on behalf of the respondent/Union of India.

Since only a few days are left till December 31, 2022, this Court without going into the merits of the writ petition stays the order of transfer till December 31, 2022. Such an order is passed in the peculiar facts of the case.

With the directions aforesaid, **W.P.A. 28034 of 2022** is **disposed of**.

Since no affidavits have been invited in this matter, all the allegations contained in the writ petition are deemed not to have been admitted by the parties.

All parties shall act on the server copy of this order duly downloaded from the official **website** of this Court.

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

(Lapita Banerji, J.)