

05.07.2023
Item No.42
Ct. No.5
CHC
(disposed of)

W.P.S.T.47 of 2016

**Shri Ajoy Kumar Bhunia
Vs.
State of West Bengal & ors.**

Mr. Noni Gopal Chakraborty
...for the writ petitioner

The writ petition is directed against an order dated December 18, 2015 passed in M.A.127 of 2014 and O.A.615 of 2014.

By the impugned order, an order of transfer which was challenged before Tribunal was found to be valid.

The Court is informed that the writ petitioner subsequently joined the transferred post and is working there.

Learned advocate appearing for the writ petitioner submits that when the writ petitioner approached the Tribunal challenging the order of transfer, there was an interim order restraining implementation of the order of transfer. Such restraint order was lifted subsequently. He submits that the writ petitioner be paid for the period when the interim order of the Tribunal subsisted.

It would be appropriate to permit the writ petitioner to approach the authorities for the period over which, he claims payment of salary, within a period of fortnight from date. In the event, the writ petitioner makes a representation for the same, the respondent no.2 will decide the same after affording a reasonable opportunity of hearing to the writ petitioner. The respondent no.2 is at liberty to consult such document and hear such other parties he deems appropriate. He will pass a reasoned order which he will communicate to the writ petitioner. The entire exercise be concluded within a period of four weeks from the date of making of the representation before respondent no.2.

W.P.S.T. 47 of 2016 is disposed of accordingly without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)