

18.05.2023
Sl. No.9(DL)
srm

W.P.A. No. 9697 of 2023

Jibananda Ghosh

Versus

The State of West Bengal & Ors.

Mr. Arup Kundu

....for the Petitioner.

Ms. Chaitali Bhattacharya,

Mr. Subhendu Roychoudhury

...for the State-respondents.

As per submissions made by Ms. Bhattacharya, learned Senior Government Advocate, it appears to the court that the petitioner does not have any vested right of transfer. As per his own choice and volition, the petitioner applied for a job in the district of South 24-parganas. The recruitment process was for the district of South 24-Parganas and the petitioner had participated in the same.

The petitioner, thus, cannot as of right ask for transfer to his home district, when he himself has applied for the job in the district of South 24-Parganas.

However, the authorities have a memorandum which permits transfer, subject to availability. Hence, the authority shall take a decision in accordance with law subject to availability and if the petitioner is otherwise

eligible for the same. The decision of the authority shall be taken as and when availability arises.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)