

27.
21.8.2023
S.D.

W.P.A. 19132 of 2023

**Rumona Islam & Ors.
Vs.
State of West Bengal & Ors.**

Ms. Gopa Biswas

..For the Petitioners

Mr. Amal Kumar Sen, A.G.P.,
Mr. Lal Ratan Basu

...For the State

Mr. Sen, learned Additional Government Pleader challenges the maintainability of the writ petition before this Court. He submits that the petitioners are regular civil post holders as they are working as Nursing Personnel, Health Assistant (Female) under the Directorate of Health Services, Nursing Branch, Government of West Bengal.

Considering the submissions of the parties and the materials placed on record, this Court is of the view that the appropriate Tribunal under the Administrative Tribunals Act, 1985 is the Court at first instance. Therefore, this Court is not willing to receive, try and entertain the present writ petition.

An order of transfer dated June 16, 2023 is under challenge in the present writ petition. It is expected that the

State authorities shall not act pursuant to the impugned order dated June 16, 2023 for a period of one week from the date of this order.

It is made clear that this Court has not gone into the merits of the writ petition.

Accordingly, **W.P.A. 19132 of 2023** is **dismissed**.

Since no affidavits have been directed to be exchanged in the present writ petition, all the allegations contained in the 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.)