

**CALCUTTA HIGH COURT IN THE CIRCUIT BENCH
AT JALPAIGURI**

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12.07.2023
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WPA 1454 of 2023

**Sanjay Kumar Yadav
Vs.
Union of India & Ors.**

**Mr. Payel Choudhury
Mr. Gopal Sah**

...for the petitioner

**Mr. Sudipto Kr. Mazumder
Mr. Sudip Kr. Paul
Mr. Saptak Sarkar**

....for the UOI

In the writ petition transfer order dated 18th March, 2023 whereby the petitioner has been transferred to Frontier Headquarter, Meghalaya by the concerned authority of Border Security Force is under challenge. However, having heard the learned advocates representing the petitioner and the respondent authorities it appears that though transfer order was issued on 18th March, 2023 till the date same has not been given effect to and the petitioner has been permitted to discharge his duty in his present post.

Petitioner made a representation dated 3rd April, 2023 addressed to the Director General, Force Headquarter, Border Security Force to consider his prayer against the impugned transfer order dated 18th March, 2023.

Since the transfer order dated 18th March, 2023 has not been given effect to till date this Court directs the Director General, Force Headquarter, Border Security Force being respondent no. 2 to take decision on the representation of the petitioner dated 3rd April, 2023 within 3 weeks from date and the same be communicated to the petitioner within 1 week thereafter. Till communication of the decision of the respondent no. 2 to the petitioner the impugned order of transfer dated 18th March, 2023 shall be kept in abeyance.

With the aforesaid direction, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)