

08-02-2024
ct no. 13
Sl. 19
sp

WPA 3171 of 2024

Sujata Hazra

-Versus-

State of West Bengal & Ors.

Mr. Bikram Banerjee,
Mr. Sudipta Dasgupta,
Ms. Sinjini Chakrabarti

...for the petitioner

Mr. Avishek Prasad

...for the State

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner is an Anganwadi Worker under the Integrated Child Development Service Scheme (ICDS). He is aggrieved by transfer order dated January 31, 2024 from the Child Development Project Officer (CDPO), Ketugram-II I.C.D.S. Project.
3. Mr. Bikram Banerjee, learned counsel appearing for the petitioner argues that the post of Anwanwadi Worker is not transferable.
4. Annexed to the writ petition is a notice dated Aril 7, 1989 which entitled the respondents to transfer an Anganwadi

Worker in the event of any complaint from the beneficiary or any third party.

5. By a further notice dated December 16, 2015, it has been specified that the transfer on compassionate ground has been provided to Anganwadi Workers in case of marriage subject to certain condition. This memo dated December 16, 2015 has not extinguished or negated the memo dated April 7, 1989.
6. Counsel for the State produces a mass petition against the petitioner by the beneficiaries raising a number of grievances against her. It further appears that the centre was closed on one day.
7. Based on the above, an enquiry was conducted by the local CDPO and a show cause notice has been issued to the petitioner. The petitioner replied thereto. Not being satisfied with the answer and without casting any stigma to the petitioner, she was transferred as indicated above.
8. This Court is of the view that the aforesaid transfer of the petitioner, therefore does not warrant any further proceedings. The basic principles of natural justice have

been complied with and the transfer has been effected by the CDPO, in accordance with law.

9. In those circumstances, no interference is called for in the impugned order.
10. With the aforesaid observations, the instant writ petition shall stand disposed of.
11. There shall be no order as to costs.
12. Let the petitioner join the transferee post within a period of 48 hours.
13. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)