

28th May,
2024
(AK)
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W.P.A 14922 of 2024

Ranu Hazra and others
Vs.
The State of West Bengal and others

Mr. Anjan Bhattacharya
Ms. Anita Shaw
...for the petitioners.

Mr. Somnath Ganguli
Ms. Mohuya Dutta Biswas
...for the State.

1. The writ petitioner is aggrieved as to the transfer order to issued by the authority, transferring them to different places, whereas they seek transfer to the home district.
2. Mr. Anjan Bhattacharya, learned counsel appearing for the writ petitioners submits that such prayer of the petitioners would be in terms of the applicable Rules and writ petitioners' prayer may well be considered and allowed by the respondent authorities.
3. He further referred to an order of the Hon'ble coordinate Bench of this court dated April 13, 2023 to submit that in the similar kind of case, the Hon'ble coordinate Bench has been pleased to direct the concerned respondent authority to consider petitioners' prayer and dispose it of in accordance with law. A similar order has been

sought for the writ petitioners in this case. It is indicated that there, after consideration, the appropriate authority has favourably considered writ petitioner's case.

4. Mr. Somnath Ganguli, learned counsel appearing for the State respondents. He is, however, prima facie of the opinion, that the writ petition would not have been filed by the petitioners when the Administrative Tribunal is functioning. For the rest he has left the matter at the discretion of the Court.
5. In view of the innocuousness of the prayer of the writ petitioners as well as the order passed by the other Hon'ble coordinate Bench in similar kind of case, this writ petition is disposed of with the following directions.
 - i) Let the respondent no.2 consider the prayer of the writ petitioners by dint of their representations appearing as annexures to this writ petition at pages-633 to 640.
 - ii) In doing so, the respondent authority shall grant opportunity of hearing to the writ petitioners and any other person as it may deems fit and proper.
 - iii) The representations shall be disposed of by dint of a reasoned order.

- iv) The representations as above shall be disposed of within a period of six weeks from the date of this order.
- 6. The court has not entered into the merits of the matter and all the point are kept open for consideration by the concerned respondent authority.
- 7. Since no affidavit-in-opposition has been called for, allegations made in the writ petition are understood to have been denied.
- 8. Accordingly, WPA 14922 of 2024 is disposed of.

(Rai Chattopadhyay, J.)