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27.11.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 17697 of 2024

Sandip Kumar Das
Vs.
The State of West Bengal & Ors.

Mr. Rajib Kumar Basu
...for the petitioner

Mr. Debnarayan Patra,
Mr. Amritendu Bhowmick
...for the State

The grievance of the petitioner is directed against transfer of his workplace.

It is alleged on behalf of the petitioner that the petitioner is a cardiac patient and is unable to travel to his workplace where he had been transferred. Accordingly, the petitioner wants a nearby workplace where he can easily and comfortably travel. It is further alleged that the petitioner had been earlier transferred to a place near to his house, but, subsequently has been transferred to Bhagra Mulgram GP.

In view of the above, the petitioner assails the order of transfer and submits that he will not be able to travel to the above workplace.

On behalf of the State it is submitted that in the garb of ill-health, the petitioner has not even joined his service. The place of transfer of the petitioner, i.e., Bagra Mulgram GP, is only 35.3

kilometers from the petitioner's residence whereas the prior place of transfer, i.e., Satinandi GP, was 55.5 kilometers.

The report filed by the State respondents be kept with the records. A copy of the same is served on the petitioner.

In view of the Report filed on behalf of the State authorities, there is no scope of interfering with the decision of the State.

The stand of the petitioner appears to be ill-motivated and without any logical basis. Moreover, the present place of transfer is only 35.3 kilometers from his residence, whereas the earlier workplace was 55.5 kilometers away from his residence. There is no legally enforceable right, which the petitioner has been able to demonstrate, which would warrant interference in such matters.

In view of the above, W.P.A. No. 17697 of 2024 stands dismissed without, any order as to costs.

The petitioner undertakes to forthwith join the new workplace.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Ravi Krishan Kapur, J.)