

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

01 09.4.2025
Sc Ct. no.2

WPA 21612 OF 2024

Goutam Sinha @ Goutam Kumar Sinha

Vs.

Union of India & Ors.

Mr. Md. Mokaram Hossain
Mr. Md. Naimul Islam
Mr. Mizanur Rahaman.

....For the Petitioner

Mr. Chirantan Dawn
Mr. Pradyat Saha.

....For the Respondents

Mr. Mokaram Hossain, learned Counsel appears for the petitioner.

Mr. Chirantan Dawn, learned Counsel appears for the respondents.

On the basis of a recommendation, **Annexure-P3 at page 30** to the writ petition made by the employer of the petitioner being the **Commander Works Engineer (CWE), Panagarh**, respondent no.5 in the instant writ petition, the petitioner seeks **Transfer on Compassionate ground** from **Panagarh to Kalaikunda** instead of transfer effected for the petitioner under the impugned transfer order dated **April 8, 2024, Annexure-P6 at page 40** to the writ petition from **Panagarh to Vaizag**. The petitioner has impugned this transfer order through this writ petition. The petitioner has also relied

upon the relevant rules for ***Transfer on Compassionate ground.***

Mr. Chirantan Dawn, learned Counsel for the respondents at the threshold has taken the ***point of maintainability*** of the writ petition on the ground of available statutory alternative remedy. He submits that the remedy shall lie before the ***Central Administrative Tribunal.*** He further prays to disclose certain documents in the matter and has also taken the point that Compassionate Appointment is not a matter of right, it is a policy of the employer.

In view of the above, the respondent no.2 shall file a report along with the supportive documents in support of its stand to be taken in the report in the light of the case made out in the writ petition on or before ***April 23, 2025*** upon a copy being furnished to the learned advocate on record for the petitioner.

The petitioner shall be at liberty to file its exception thereto in the form of affidavit on or before ***May 6, 2025.***

The ***point of maintainability*** shall be heard first.

The writ petition shall appear under the heading ***“For Orders”*** on ***May 14, 2025.***

(Aniruddha Roy, J.)