

22.04.2024.
Court No. 13
Item No. 15
ap

W.P.A. No. 24158 of 2023

**Ashish Kumar Mondal
Versus
Union of India & Ors.**

Mr. Bhudeb Chatterjee,
Ms. Roshni Ghosh,
Mr. Tamojit Ghosh.

...For the petitioner.

Mr. Dhiraj Trivedi, Ld. DSGI,
Mr. Arijit Majumdar,
Ms. Supriti Sarkhel.

....For the UOI.

1. The petitioner is aggrieved that his application for transfer as care giver to his mentally sick wife has been declined by the respondents without assigning any appropriate reasons.
2. The petitioner relies upon a policy of the Border Security Force of the year 2018 where transfer can be sought by a Constable on account of illness of his wife as her care giver. The petitioner has been posted in Siliguri since 2018 in static location of Border Security Force. The petitioner seeks transfer to another static location in Kolkata to be able to care for his sick wife.
3. This Court indeed finds that rejection of the petitioner's earlier applications dated 29th October, 2021 and 4th July, 2022 are devoid of any reasons.
4. Hence, this Court directs the Director General, Border Security Force and the concerned appropriate authority for transferring Constables to consider the

petitioner's application for transfer, as a care giver for his wife and dispose of the same with sufficient reasons within a period of one month from the date of communication of a copy of this order.

5. All and every Rules may be referred to and discussed while considering the application.

6. With the aforesaid directions, the instant writ petition shall stand disposed of.

7. There will be no order as to costs.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)