

**WP.CT. 240 of 2023**

(The Director General, Employees State  
Insurance Corporation & Ors. Vs.  
Dr. Sonia Gon & Ors.)

**Mr. Samrat Chowdhury**

**..... For the petitioners**

**Mr. Chiradip Sinha**

**Mr. Siddhartha Sankar Mandal**

**Ms. Arunima Das Sharma**

**..... For the respondents**

The present writ petition has been preferred challenging an order dated 15<sup>th</sup> November, 2023 passed in the original application being OA No. 1459 of 2023.

Mr. Chowdhury, learned advocate appearing for the petitioners submits that transfer is an incident of service and a clause to that effect stands incorporated in the appointment letter of the respondent no. 1. The order of transfer was passed in consonance with the transfer policy and that as such, no interference was called for. However, by the impugned order dated 15<sup>th</sup> November, 2023, the learned Tribunal stayed the operation of the transfer order as well as the release order. Let the supplementary affidavit, as filed, be kept on record.

Mr. Sinha, learned advocate appearing for the respondent no. 1 submits that the daughter of the respondent no. 1 is in the midst of her academic session and the impugned order of transfer has been issued abruptly which severely affects her daughter's education.

The learned Tribunal directed to issue notice upon the petitioners and the matter was made returnable on 28<sup>th</sup> November, 2023. Instead of arguing the matter on the returnable date, the petitioners filed the present writ petition on 30<sup>th</sup> November, 2023. The original application again appeared before the learned Tribunal on 13<sup>th</sup> December, 2023. From the order dated 13<sup>th</sup> December, 2023 it appears that the matter has been made returnable today directing that '*interim order(s), if any, to continue till the next date of hearing*'. A limited interim order has been passed by the learned Tribunal and the matter has been made returnable today.

In the said conspectus, we are not inclined to interfere in the present writ petition and the same is dismissed.

There shall, however, be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)**