

WP.ST. 201 of 2023

(Sankar Prasad Dey Vs. The State of
West Bengal & Ors.)

Mr. Samim Ahammed

Mr. Arka Maiti

Ms. Ambiya Khatun

..... For the petitioner

Mr. Tapan Kumar Mukherjee, Ld. A.G.P.

Ms. Sangeeta Roy

..... For the State

Affidavit-of-service filed by the petitioner be kept on record.

Heard the learned advocates appearing for the respective parties.

Prima facie, it cannot be totally ruled out at this stage that the complaint lodged by the petitioner on 18th August, 2023 triggered the issuance of the order of transfer dated 9th October, 2023. The release order was also issued about two months thereafter on 6th December, 2023. The order impugned reveals that the learned Tribunal admitted the petition but did not pass any interim order and fixed the matter for further consideration on 25th January, 2024.

A restraining order, *prima facie*, will not cause a greater loss and prejudice to the respondents than the loss and prejudice, the absence thereof, is likely to cause to the petitioner.

In view thereof, the respondents are restrained from giving effect or further effect to the impugned order of transfer dated 9th October, 2023 and the release order

dated 6th December, 2023 till the disposal of the original application.

The respondents are further directed to allow the petitioner to continue in the post of Lecturer in Mechanical Engineering in the Calcutta Technical School, Kolkata till the disposal of the original application.

The learned Tribunal is also directed to dispose of the original application as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

The writ petition being **WP.ST. 201 of 2023** is, accordingly, disposed of.

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.

(V. M. Velumani, J.)

(Tapabrata Chakraborty, J.)