

05.01.2024
Item No.17
gd

WPA/2964/2023
MANJAY KHAWAS
VS
STATE OF WEST BENGAL & ORS.

Mr. Prajwal Gurung
..for the Petitioner.

Mr. Subir Kumar Saha,
Ms. Pratusha Dutta Chowdhury
..for the State.

Ms. Supriya Singh
..for GTA.

As prayed for by the learned advocate for the petitioner, leave is granted to the learned advocate-on-record of the petitioner to correct the typographical error which is crept in the description of the respondent no.3 in the cause-title of the writ petition.

Let such amendment of the cause-title be carried out here and now.

Let copies of this writ petition be served upon Ms. Singh, learned advocate appearing for the Gorkhaland Territorial Administration and upon Mr. Saha, learned advocate representing the State in course of this day.

The grievance of the petitioner is that the Secretary, Gorkhaland Territorial Administration has issued a transfer order vide Order No.119 dated July 31, 2023 whereby the petitioner was transferred from

Gorubathan Block Primary Health Centre GDA to Soil Conservation Sub-Division Office, Gorubathan under Irrigation and Waterways Development as Khalasi but such transfer order has not yet been given effect.

The petitioner claims to have submitted a representation and a reminder praying for issuance of a release order so as to enable him to join the present place of posting.

Upon going through the materials on record, this court finds that there is an endorsement to consider release of the petitioner in the 1st week of November, 2023. However, no steps with regard to issuance of release order appears to have been taken by the concerned respondent authority.

The learned advocate appearing for the petitioner submits that the respondent no.7 has not yet issued the release order.

In view thereof, this court directs the Block Medical Officer of Health, Gorubathan BPHC, being the 7th respondent, to consider the prayer of the petitioner for issuance of release order in the light of the transfer order dated 31st December, 2023 and the various recommendations made by the authorities and communicate its decision to the petitioner at the earliest but positively within a period of three weeks

from the date of receipt of the server copy of this order.

With the above directions, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent certified copy of this order, if applied for, be given to the learned advocates for the parties on usual formalities.

(HIRANMAY BHATTACHARYYA, J.)