

W.P.A. 5136 OF 2025

**TAHIRUDDIN BISWAS
VS.
THE STATE OF WEST BENGAL & OTHERS**

Mr. Biswaroop Nandy, Adv.

...for the Petitioner

Mr. Gourav Das, Adv.

Ms. Subhra Nag, Adv.

...for the State

1. Matter is taken up for consideration in presence of the learned advocates representing the parties.
2. On hearing learned advocates representing the parties it appears that previously petitioner worked as Executive Assistant in Moulpur Rural Hospital, Malda and *vide* transfer order dated 6th June, 2024 petitioner was transferred to the post of Executive Assistant in Ratua Rural Hospital, Malda.
3. Though learned advocate representing the petitioner has tried to distinguish the case of the petitioner in order to demonstrate before this Court that present writ petition is maintainable as the transfer order was issued by the Secretary, District Health and Family Welfare Samity, Malda and Chief Medical Officer of Health but it appears that petitioner is working as Executive Assistant against a sanctioned post in Ratua Rural Hospital, Malda. Transfer order dated 6th June, 2024 issued on behalf of the

Department of Health and Family Welfare is given effect to.

4. It appears that petitioner is a State Government employee. Therefore, present writ petition is not maintainable.
5. Hence, the writ petition stands dismissed.
6. However, this order shall not preclude the petitioner to approach West Bengal Administrative Tribunal on the self-same cause of action.
7. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)