

16.05.2025
Ct. No. 30
S.L. No.18
SM

WPA 9571 of 2025
Jiban Kumar Sadhu
Vs.
Union of India & Ors.

Mr. Supratim Dhar, sr. adv.
Mr. Tirupati Mukherjee
Mr. Kaustav Banerjee
.....for the petitioner
Mr. Chirantan Dawn @ Dan
Mr. Goutam Sardar
.....for the UOI

The present writ application has been preferred against an order, transferring the petitioner from RTPP, Purulia, West Bengal to VSP, Visakhapatnam (Andhra Pradesh) South by virtue of an annual transfer order dated 09.04.2025.

The petitioner has annexed medical papers to show that he is suffering certain medical ailments.

It is the contention of the petitioner that the direction in the document dated 22.10.2024 annexed at page 29 has not been complied with till date and as such the petitioner is being prejudiced.

It is further submitted that in spite of such pending medical examination as directed on 4th April, 2025, the petitioner has been transferred to Visakhapatnam.

Learned counsel appearing for the respondents submits that another representation of the petitioner is also pending.

Considering the materials on record and on hearing the parties the writ application is disposed of with the direction that the authority concerned shall comply with the direction given in the document dated 22.10.2024 at page 29 of the writ application within 30 days from the date of this order and such compliance shall be done in accordance with law and necessary orders may be passed.

The order dated 04.04.2025 be stayed only in respect of the petitioner till compliance of the direction as above.

Be it noted that this Court has gone into the merit of the case of the petitioner regarding his medical ailment or otherwise and the authority shall decided independently on the basis of materials before him which includes the medical examination of the petitioner and take necessary call in respect of the said transfer.

Representations, if any, submitted by the petitioner shall also be disposed of by the appropriate authority within 30 days from the date of communication of this order.

It is further clarified that in case the petitioner is found to be medically fit to travel to Visakhapatnam, the order of stay in the present case shall stand vacated and the transfer order dated 04.04.2025 shall become effective in respect of the petitioner herein.

Writ application stands disposed of.

Applications, if any, connected thereto stand disposed of consequently.

Interim order, if any, stands vacated.

Photostat certified copy of this order, if applied for, being given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]