

17th July, 2025
(D/L No.125)
Ct. No.4
(SKB)

W.P.C.T.134 of 2025

Union of India and others
Versus
Debabrata Chakraborty

Mr. Indrajeet Dasgupta,
Mr. Guddu Singh
... for the petitioners.

Mr. Barun Chatterjee,
Mr. Atrey Chakraborty
... for the respondent.

1. The affidavit of service filed in court today is taken on record.
2. The petitioner before us (the Union of India) is assailing an interim order dated 16.05.2025 whereby the O.A. filed by the applicant bearing O.A. NO.678 of 2025 has been admitted and a direction has been issued to file a reply and rejoinder. The parties have been directed to maintain *status quo* in the meantime. The issue before the Central Administrative Tribunal (in short 'Tribunal') is an issue of transfer.
3. The learned counsel for the Union of India submits that the Tribunal should have considered the nature of duties being performed by the applicant/respondent in the Air Force; and the general law in this regard that a transfer is an

incident of service and no employee has any indefeasible claim or right to claim to continue at a particular place irrespective of the fact that he may have some personal inconveniences or that he may be a member of any union.

4. He, thus, submits that continuance of the stay is detrimental to a smooth functioning of the force.
5. We are informed by the parties that after passing of the impugned order dated 16.05.2025, the matter has been taken up on one date, the present petitioner who is the respondents before the Tribunal has filed their reply and rejoinder thereto is going to be filed as per submission of the learned counsel for the respondent on 21.07.2025. The next date is fixed before the Tribunal is 29.07.2025 and there is also an assurance by the learned counsel for the respondent that exchange of affidavits would be completed by 21st July, 2025. We, therefore, find no impediment in consideration of the matter on 29.07.2025 by the Tribunal.
6. We, therefore, record our expectation, and request the Tribunal to proceed to consider the matter with a view to its final disposal, or for continuance or otherwise of the interim direction, without

granting any unnecessary adjournments, or undue delay.

7. The writ petition is disposed of in these terms.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)