

S/L 5
16.03.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 5884 of 2026

Sekhar Kumar Roy & Ors.

Vs.

State of West Bengal & Ors.

Mr. Samim Ahammed

Ms. Ambiya Khatun

...for the Petitioners.

Mr. S.S. Koley

...for WBSSEDCL.

1. The petitioner no.1 is serving in the West Bengal State Electricity Distribution Company Limited. He was transferred to Gangarampur CCC vide an order of transfer dated February 12, 2026.

2. Relying on the Circular of the employer dated April 23, 1990 relating to annual transfer of employee, 1990, the petitioner approached the authority mentioning that the office bearers of a recognized union/association is exempted to the extent of transfer within a radius of 20 kms. from their respective existing place of posting.

3. The petitioner claims to be the office bearer of the registered trade union and submits that his transfer may be made to a place within 20 kms. radius from his existing place of posting at Rabindrabhaban 33/11 Sub Station.

4. The petitioner filed a representation before the employer seeking reconsideration of the order of transfer. On consideration of the said representation, the transfer order of the petitioner stood modified vide

order dated February 27, 2026 and the petitioner has currently been transferred to Sujapur 33/11 KV Sub Station instead of Gangarampur CCC. The petitioner joined the place of posting on February 27, 2026.

5. The petitioner alleges that despite joining the transferred place of posting, the petitioner is not being allowed to perform his duties at Sujapur.

6. Prayer has been made to direct the employer to permit the petitioner to discharge his regular duties.

7. Learned advocate representing the employer submits, upon instruction that, acceding to the request of the petitioner, the employer modified his place of posting. There is no impediment on the part of the petitioner to work and discharge his duties at Sujapur.

8. It has further been submitted that no representation or objection has been filed by the petitioner alleging that he has not been permitted to discharge his duties at Sujapur.

9. Upon hearing the submission made on behalf of both the parties and on perusal placed before this Court, it appears that the petitioner has already joined his transferred place of posting at Sujapur on February 27, 2026. There is nothing on record to suggest that the petitioner has been restrained from functioning at Sujapur.

10. As long as the order of transfer remains valid in respect of Sujapur, the petitioner would be obliged to perform his duties at Sujapur.

11. The petitioner shall, accordingly, perform his regular duties at Sujapur and the employer shall permit the petitioner to function normally at his transferred place of posting.

12. If the petitioner faces any further difficulty in discharging his duty, it will be open for the petitioner to approach the Zonal Manager, Malda Zonal Office for redressal of his grievances.

13. The writ petition stands disposed of.

14. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

(Amrita Sinha, J.)