

09.03.2026
Ct. 3
Item No.
AD 3
Saswata

WPA 15002 of 2025

**Rajib Sarkar
Versus
The State of West Bengal & Ors.**

Mr. Fridous Samim
Mr. Hasanuz Zaman Molla
Mr. Asik Mandal
Ms. Hena Sardar
Ms. Nurani Sultana
Mr. Naman Shah

...For the petitioner

Mr. Partha Sarathi Bhattacharya, Sr. Adv.
Mr. Mrityunjoy Goswami
Mr. Parikshit Goswami

...For the Municipality

Mr. Shamim ul Bari
Mr. D. Saha

...For the State

1. Being aggrieved by the transfer order dated 3rd May 2025, the instant writ petition has been filed.
2. When the matter came up for consideration, by order dated 26th November 2025 this Court noting that a further showcase has been issued by the Chairman, Madhyamgram Municipality on 17th October 2025 for the petitioner having not complied with the transfer order, had stayed the same.
3. Subsequently, by order dated 6th December 2025, the petitioner has once again been transferred in Public Interest as Upper Division Clerk in the General Administration Department

which is an approved post by the Government of West Bengal having same scale of pay.

4. Such direction being challenged by the petitioner by filing a separate writ petition being WPA 638 of 2026, this Court by order dated 2nd February 2026 had granted liberty to the petitioner to join the said re transferred post within 5th March 2026 without prejudice to his rights and contentions in the writ petition being WPA 638 of 2026
5. It is an admitted position that the petitioner has since joined the re-transferred post. In light of the above, I am of the view that nothing scurries in the present writ petition and the present writ petition is disposed of by recording that the municipality has not given effect to the order dated 3rd May 2025.
6. With the above direction, the writ petition is disposed of.
7. All parties shall act on the basis of server copy of this order duly downloaded from this Court's official website.

(Raja Basu Chowdhury, J.)