

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

Case No. – OA-487 of 2021.

Asit Kumar Naskar. - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. S. Ghosh, Advocate.
<u>2</u> 13.8.2021	For the State Respondent	: Mr. M. N. Roy, Mr. G. Haldar, Advocates.

The matter is taken up by the single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020 and 456-WBAT/2J-15/2016 dated 16th July, 2021 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

Let affidavit of service filed in the registry of the Tribunal be kept on record.

In the application, Asit Kumar Naskar – Police Driver and posted at Howrah Police line under the Office of the Superintendent of Police, Howrah (Rural) District, has prayed for a direction upon the respondents, particularly on the Superintendent of Police, Howrah (Rural) District, Howrah, – the respondent no. 3, to release him from the present place of posting and to issue necessary order for posting him at the Diamond Harbour Police District in terms of the order of transfer dated 15th July, 2020, being annexure-“A” to the application where his name appears against serial no. 1.

It is submitted by Mr. M. N. Roy, learned advocate appearing on behalf of the State respondents, that though order was issued on 15th July, 2020 however it could not be implemented due to unavoidable circumstances. Prayer is some time may be given to arrange for transfer

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and posting.

Mr. S. Ghosh, learned advocate for the applicant submits that in view of the submission of Mr. Roy, appropriate order may be passed.

Heard the learned advocates for the parties.

Since the applicant has been transferred from Howrah (Rural) District to Diamond Harbour PD by order dated 15th July, 2020 and since it is submitted on behalf of the respondents that the order of transfer could not be carried out due to unavoidable circumstances, considering the facts and circumstances of the case, the original application is disposed of by directing the Superintendent of Police, Howrah (Rural) District, Paniarah Police Line, – the respondent no. 3, to issue necessary release order for transfer of the applicant from Howrah (Rural) District to Diamond Harbour PD within a period of eight weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal.

Since for circumstances beyond control the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

(SOUMITRA PAL)
CHAIRMAN

S.M.