

WP(C) 6563/2007
BEFORE
HON'BLE MR. JUSTICE RANJAN GOGOI

Heard Mr KK Phukan, learned counsel for the petitioner and Ms U Baruah, learned Standing Counsel, ASTC.

The challenge in the present writ petition is against an order dated 8.11.2007 by which the petitioner has been transferred from Dhemaji to Jonai and the respondent No.5 has been transferred from Jonai to Dhemaji in place of the petitioner. The petitioner filed a representation on 12.11.2007 against the said order of transfer pursuant whereunto, by order dated 20.11.2007 the transfer of the petitioner has been kept in abeyance till the end of the month of December, 2007. In the aforesaid circumstances, the present writ application has been filed.

The materials on record would go to show that the petitioner had submitted another representation on 15.12.2007 seeking re-consideration of his transfer made by the order dated 8.11.2007. From the materials available on record it is clear that apart from other grounds, the petitioner seeks re-consideration of his transfer on the ground that the children of the petitioner are studying in Class XI and XII and are due to sit in the annual examination which the Court understands are likely to be held in February- March, 2008.

Be that as it may, if a representation has been filed by the petitioner, it is the bounden duty of the authority of the Corporation to consider the grievances highlighted and answer the said representation by means of a speaking order. As the same has not been done, the Court is of the view that the respondent Nos. 1 to 4 should be directed to dispose of the petitioner's representation dated 15.12.2007 (Annexure-F) within a period of two weeks from today. If the petitioner continues to feel aggrieved by such order that may be passed, it will be open for him to avail of such remedies as may be available to him in law. It is further directed that until disposal of the petitioner's representation, he be allowed to remain at Dhemaji.

The writ petition consequently is closed in terms of the above.