

WP(C) 4416/2008
BEFORE
HON'BLE MR. JUSTICE AMITAVA ROY

Heard Mr. AR Sikdar, learned counsel for the petitioner and Mr. DK Dey, learned Central Government Counsel, for the respondents.

The petitioner is before this Court being aggrieved by the order dated 15.09.2008 transferring her from CISF Unit, BRPL, Bongaigaon to CISF Unit, Oil India Ltd., Duliajan. In terms thereof, she is supposed to be relieved on 30.09.2008, subject to the submission of clearance certificate for all concerned by 28.09.2008.

According to her, she has submitted a representation on 15.09.2008 before the Director General, CISF, CGO Complex, Lodhi Road, New Delhi through proper channel for reconsideration of the order of transfer on the ground that her daughter is scheduled to appear in the Final HSLC Examination slated for May, 2009. The petitioner has contended amongst others that the representation remains unattended till date.

Mr. Sikdar, while reiterating the above, has also pleaded that in terms of the office order dated 22.10.2007 (Annexure 5 to the writ petition), the petitioner ought not to be transferred as her daughter is in the midst of the current academic session and is supposed to appear in a Board Examination in 2009.

Mr. Dey, sought time to obtain instructions.

Upon hearing the learned counsel for the parties and bearing in mind the constraint in the scope of interference with an order of transfer, this Court in the facts and circumstances of the case, considers it apt to dispose of this petition with a direction to the Director General, CISF, Force Head Quarter New Delhi, Lodhi Road, Central Govt. Office Complex, New Delhi to take an appropriate decision on the petitioner's representation abovementioned within one week from the date of receipt of a copy of this order. The petitioner would furnish a copy of this order to the Commandant CISF Unit, BRPL, Bongaigaon within a week herefrom for onward dispatch thereof to the aforementioned authority for doing the needful.

For a period of three (3) weeks herefrom, the impugned order of transfer would not be given effect to. No costs.