

WP(C) 492/2014

BEFORE

THE HON'BLE MR. JUSTICE M.R. PATHAK

Heard Mr. S. C. Biswas, learned counsel for the petitioner. Also heard Ms. Goter Ete, learned Government Advocate, appearing for State Respondents No. 1 to 4.

The petitioner, hereinbefore, is serving as an Upper Division Clerk(UDC) in the office of the Assistant Registrar Cooperative Societies(ARCS) at Seppa, since 2010.

Vide impugned order dated 12.12.2014, the petitioner has been transferred to the establishment Branch of the office of the Deputy Commissioner, East Kameng District, Seppa, vice one Sri L. Saha, UDC.

The petitioner has contended that he is suffering from heart ailment and had undergone heart surgery at AIIMS, New Delhi, on 06.03.2010. To that extent, petitioner has annexed the Discharge Summary issued by the AIIMS authority in his favour.

The petitioner has further submitted he has filed a representation before the Deputy Commissioner, East Kameng District, Seppa, on 16.12.2014, with a prayer to cancel the transfer order dated 12.12.2014 and requested him to any other office where he need not climb the staircase to reach his office.

The petitioner has also contended that the impugned order dated 12.12.2014 has not been given effect to till date and he is still serving in the office of the ARCS at Seppa. He has also contended that the said representation is yet to be considered and disposed of by the Deputy Commissioner, East Kameng District, Seppa.

After hearing the learned counsel appearing for the parties today, this writ petition is disposed of at the motion stage itself, with the direction to the Respondent No. 3 viz. Deputy Commissioner, East Kameng District, Seppa, to consider and dispose of the representation dated 16.12.2014 on or before 31st of January, 2015, with a reasoned order and the outcome of the same, shall be communicated to the petitioner, forthwith.

The petitioner shall, positively, furnish a certified copy of this order along with a copy of the instant writ petition and the Annexures appended thereto with this writ petition, before the Deputy Commissioner, East Kameng District, Seppa, on or before 30th of December, 2014, failing which the Deputy Commissioner concerned need not comply with the directions as given by this Court today in the foregoing paragraph.

In the event of filing of certified copy of this order along with a copy of the instant writ petition, on or before 30.12.2014, by the present petitioner, the impugned transfer order dated 12.12.2014 shall not be given effect to by the authorities concerned till disposal of the above quoted representation dated 16.12.2014.