

HIGH COURT OF TRIPURA
AGARTALA

WP(C) No.456/2020

Shri Chyan Paul

..... *Petitioner(s)*.

Vs.

The State of Tripura and Ors.

..... *Respondent(s)*.

For Petitioner(s) : Mrs. S Deb(Gupta), Advocate.

For Respondent(s) : Mr. Debalaya Bhattacharjee, Government Advocate.

HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI

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29/7/2020

Petitioner is a Headmaster of the Government school. He has challenged an order dated 21st July, 2020 by which he is transferred from the present place of working i.e. from Rajnagar Higher Secondary School, Sadar, Agartala to Shyamaprasad Higher Secondary School, Sadar. Case of the petitioner is that he suffers from disability to the extent of 50%. His spinal cord is damaged which restricts his movements. It is, therefore, not possible for him to undertake any road journey or long distance of walking.

The record would show that he is posted at the present place of working since 2017. The place of transfer is at a distance of about 10 Kms. from the present place.

In transfer matters, the Courts have limited jurisdiction and exercise restrained in interfering with such orders. It is essentially for the administration to decide which person is suited for discharging duties at which place. As the person suffering from partial disability, the petitioner may have some sympathetic consideration in terms of transfer and posting. However, such issues are to be examined by the administration. The petitioner has already made a representation to the authorities on 23rd July, 2020 which is pending. This petition is disposed of with a request to the respondents to decide such a representation expeditiously and sympathetically. Pending application(s), if any, also stands disposed of.

(AKIL KURESHI), CJ