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KOLKATA BENCH**

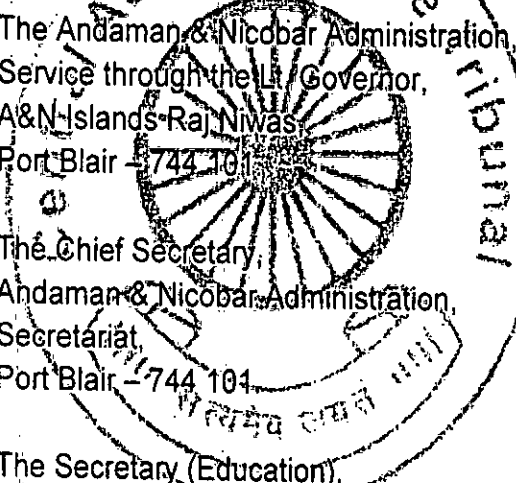
No. O.A. 358/00430/2018

Date of order: 28.03.2018

**Present :**            **Hon'ble Ms. Manjula Das, Judicial Member**  
                         **Hon'ble Dr. Nandita Chatterjee, Administrative Member**

Ved Prakash Mishra,  
Son of Late Rama Shankar Mishra,  
Aged about 55 years,  
By occupation service as  
Vice Principal, GSSS Prothrapur,  
South Andaman,  
Under the Directorate of Education,  
Andaman & Nicobar Administration,  
Port Blair, residence at Dollygunj,  
Port Blair – 744 103.

.. Applicant

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1. The Andaman & Nicobar Administration,  
Service through the Lt. Governor,  
A&N Islands-Raj Niwas,  
Port Blair – 744 101.
  2. The Chief Secretary,  
Andaman & Nicobar Administration,  
Secretariat,  
Port Blair – 744 104.
  3. The Secretary (Education),  
Andaman & Nicobar Administration,  
Secretariat,  
Port Blair – 744 101.
  4. The Director of Education,  
Andaman & Nicobar Administration,  
Directorate of Education, VIP Road,  
Port Blair – 744 103.
  5. The Deputy Director of Education,  
(Academic /HOO), Andaman & Nicobar  
Administration, Directorate of Education,  
VIP Road,  
Port Blair – 744 103.
  6. Shri Shubhankar Ghosh,  
Holding the additional charge of the  
Post of Director of Education,  
Andaman & Nicobar Administration,  
Directorate of Education,



VIP Road,  
Port Blair – 744 103.

.. Respondents

For the Applicant : Mr. S. Samanta, Counsel

For the Respondents : Mr. S.K. Ghosh, Counsel

**ORDER (Oral)**

**Per Ms. Manjula Das, Judicial Member:**

Heard Mr. S. Samanta, Ld. Counsel for the applicant and Mr. S.K. Ghosh, Ld. Counsel for the official respondents.

2. A routine transfer order was issued vide order 13.3.2018 whereby the applicant is sought to be transferred from G.S.S. Prothrapur (Zone VI) to G.S.S. Paschim Sagar (Zone-III).


3. The grievance of the applicant is that while the transfer order was issued, the respondent authorities did not follow their own transfer guidelines. As per the applicant, he has completed only seven months at the present place of posting i.e. Prothrapur, thus the transfer order is bad-in-law.

4. The applicant seeks stay of order No. 589 dated 23.3.2018, which is a clarificatory issued by the Principal, GSSS Bhathubasti whereby the applicant is deemed to be released on 23.3.2018. It is crystal clear that the respondent authorities have transferred the applicant without following the standard stipulated period for joining the transferred post.

5. However, as the applicant has already made a representation before the authorities for consideration of his case and for cancellation of the transfer order which is pending consideration before the authorities, we deem it fit and proper to direct the department to take a decision on the representation.

6. Accordingly, we direct the respondent authorities, more particularly, the respondent No. 2 (Chief Secretary) to consider the case of the applicant by keeping in mind the transfer guidelines within a period of one months from the date of receipt of the

7. Till then status quo as on date be maintained.



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