

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH, CALCUTTA

O.A. 350/01964/2015

Order dated: 21.01.2016

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member

ANITA BHENGRA

VS.

UNION OF INDIA &amp; ORS. (L&amp;E)

For the Applicant : Ms. A Gupta, Counsel

For the Respondents : Ms. D. Nag, Counsel

ORDER

Heard Ld. Counsels for both sides.

2. This application has been filed by a lady 44 years old whose only desire is to have a child <sup>She</sup> wants to enjoy the pleasure of motherhood at least through an IVF as her <sup>primi</sup>gravida got terminated.

In her penchant for such she has prayed for her transfer from Dhuliyān to Suri which has already been ordered on 14.05.2015. She wants the transfer, already ordered, to be implemented immediately without further wasting the prime of her life.

3. She is aggrieved as her prayer seeking release has been acted to by the Medical Officer-in-Charge, Central Hospital, Dhuliyān, in the following manner which shows that she is utterly unable to fathom her prick:

"To  
The Welfare Commissioner,  
Labour Welfare Commissioner,  
Kolkata - 20.

Sub: Forwarding the application for release i.r.o. Smt. Anita Bhengra S/N from Central Hospital Dhuliyān, Msd.

Ref: W/c Letter no. LWO/KOL/ESTT/1029/2660 dated- 14.05.2015.

No: MS/CH/DLN: 517 dt 02.07.2015

Sir,

This is for your kind information that the Central Hospital, Dhuliyān has OPD, Indoor wards (Male & Female including paediatric ward and labor room) and 24 hours emergency services. 09 nos. of Staff Nurses are present against sanctioned posts of 12 nos of staff nurses and 01 no of Sister Incharge (total no.

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- 13). Release of Smt. Anita Bhengra S/N from Central Hospital Dhuliyan will lower down the staff strength to 08 nos which is grossly inadequate to run the Hospital.

So, I request you kindly to provide 01 no of staff Nurse beforehand as her reliever on regular basis so that I can release the above mentioned Staff Nurse."

4. Based on the above, Ld. Counsel for the respondents assures that she shall be accommodated as soon as a vacancy is available.

5. It is noticed that her retention <sup>would not</sup> ~~wait~~ <sup>BS</sup> yield any fruitful result as she would be compelled to be on leave.

6. In case her release is delayed and IVF fails she would have no one to curse other than the medical officers of the department and her destiny.

7. Therefore considering the plight of the poor lady and her compulsions, the O.A. is disposed of with a direction upon the respondents to release her positively by 4 weeks.

(Bidisha Banerjee)  
Member, (J)

drh