

**08/09
2026**

**AD/39/18
266312
NANDY**

(DO)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA/23355/2026

**KISHORE CHAKRABORTY
VS
THE UNION OF INDIA AND ORS.**

Mr. Sabyasachi Chatterjee, Advocate
Mr. Kiron Sk., Advocate
Mr. Sayed Hossain, Advocate
Mr. Kamiruddin Sk., Advocate
Mr. Dr. Biren Mukherjee, Advocate

.....for the Petitioner

Ms. Arnunima Lala, Advocate
Mr. Arghodip Das, Advocate
Mr. Pradipta Bose, Advocate
Mr. Aniruddha Saha Ray, Advocate
Ms. Farha Deebea Chowdhury, Advocate

.....for the ECL

Mr. Ashok Prasad, Advocate
Mr. Priyabrato Das, Advocate

.....for the UoI

1. Affidavit of service, as filed, be kept with the record.
2. The petitioner is aggrieved with a transfer made on administrative grounds from one project to another. For such purpose, the petitioner along with others have all been issued a release order dated 08.07.2026.
3. The petitioner and others are in service in various posts of the respondent no. 6. The transfer on administrative grounds, which culminated in the release order of 08.07.2026, has been challenged by the petitioner by way of a representation dated 17.08.2026.
4. As informed by Ms. Lala, learned Advocate for the respondent authority (ECL), the representation has not been considered as of now.
5. In view of the afore-stated, the respondent no. 7 is

directed to consider such representation of the petitioner by October 9, 2026, upon giving adequate prior notice and a hearing thereafter to the petitioner.

6. The resultant reasoned order will be communicated to the petitioner within a week thereafter.
7. Since the representation is yet to be considered, the release order is stayed until the disposal of the representation.
8. The petitioner will be permitted to join his earlier post in which he was serving prior to the release order of 08.07.2026.
9. The rejoining of the petitioner will not create any equity or right in his favor.
10. The petitioner will be permitted to rejoin without prejudice to the rights and contentions of the authority that the transfer order of 08.07.2026 is valid and operational.
11. I make it clear that I have not gone into the merits of this case and the authorities will consider the matter afresh.
12. With the aforesaid directions, the writ petition is **disposed of**. No order as to costs.

(Reetobroto Kumar Mitra, J.)

