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10.2.2023
S.D.

W.P.A. 23097 of 2018
With
CAN 1 of 2022
CAN 2 of 2023

Sk. Rahim Mondal & Ors.
Vs.
The Union of India & Ors.

Mr. Subhabrata Datta
Mr. Aranya Saha
... For the Petitioners
Ms. Chandreyi Alam
Ms. Runu Mukherjee
...For the U.O.I.

In re: **CAN 1 of 2022**

This is an application for appropriate order and/or expeditious hearing of the writ petition being W.P.A. 23097 of 2018.

This application is **disposed of** without any orders.

In Re: **CAN 2 of 2023**

Mr. Datta, learned counsel appearing on behalf of the petitioners challenges Memorandum dated February 2, 2023 whereby the petitioners being Head Constables (Nursing Assistants) working with the BSF have been repatriated with immediate effect to their parent cadre (G.D.). He submits that the petitioners' valuable rights to be absorbed pursuant to the

Standard Operating Procedure dated January 30, 2015 have been violated by the impugned order.

The petitioners have completed their period of deputation from February 1, 2015 on January 31, 2018. Therefore, the petitioners have the right to be considered for absorption as Nursing Assistants in the Paramilitary Medical Set up and the BSF as Head Constables (N.As.).

Ms. Alam, learned counsel appears on behalf of the Union of India and submits that necessary instructions need to be taken on the applicability of the impugned Memo dated February 2, 2023.

Let the matter appear for further consideration on **February 17, 2023** under the heading “**Application**”.

Ms. Alam assures this Court that no further steps will be taken pursuant to the Memo dated February 2, 2023 till such time the matter comes up for adjudication before this Court.

All parties shall act on the server copy of this order duly downloaded from the **website** of this Court.

(Lapita Banerji, J.)

