

19.07.2022
Court No.13
Item No.122
pk

WPA 3732 of 2022

Dalia Mondal
Vs.
State of West Bengal and others

Mr. Ujjal Ray,
Mr. Arpa Chakraborty
...for the petitioner

Mr. Supriya Chattopadhyay,
Ms. Sayantanee Bhattacharya
... for the State.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey
... for the WBCSSC.

The petitioner's application for transfer made on the Utsashree portal has been recommended by the H.O.I. and forwarded to the D. I. of Schools. The D. I. of Schools has, however, rejected the same on the ground that the petitioner's husband disease is not enlisted in the Rules.

This Court notes the endorsement of the H.O.I. as also medical documents produced to indicate that the husband of the petitioner is without vision to the extent of 75 per cent.

This Court is of the view that the petitioner's application for transfer must be processed by the D. I. of Schools and in consultation with the School Service Commission. The D.I. of Schools shall forward the petitioner's application within 48 hours

of receipt of a copy of this order from the Chairman of the School Service Commission.

Petitioner shall sit with the Chairman of the School Service Commission on 29th July, 2022 at about 5. P.m. The transfer to the places school opted for shall be allowed unless there are circumstances beyond the control of the Chairman. However, attempts shall be made to accommodate the petitioner in a school nearby to his residence.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)