

19.07.2022
174
RP Ct.13

W.P.A No. 6380 of 2022

Ramen Kumar Das
Vs.
The State of West Bengal & Ors.

Mr. Ujjal Ray	
Mr. Arpa Chakraborty	... for the petitioner.
Mr. Biswabrata Basu Mallick	
Mr. Sanjib Das	.. for the State.
Dr. Sourav Mitra	
Mr. Suman Dey	... for the WBCSSC.

The petitioner's application for transfer on medical ground was rejected by a resolution of the Managing Committee of the School dated 6th January,2022. It appears from the resolution that prior permission of the Managing Committee of the school has not taken to verify the medical condition of the petitioner through SMC doctor and for taking further steps.

The conduct of the head of the institution is contrary to 2015 rules. Upon receipt of an application for transfer on medical ground the head of the institution is required to verify the medical condition of the petitioner through the doctor of School Managing Committee or BMOH and upon being satisfied thereafter should take

further steps in terms of the 2015 rules. The impugned order stands quashed.

With the aforesaid direction W.P.A. No.6380 of 2022 is disposed of.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)