

18.08.2022
Court No.13
Item No.229
Saswata

WPA 8529 of 2022

Raj Kumar Patra
Vs.
The State of West Bengal and Ors.

Mr. Sudip Ghosh Chowdhury
Mr. Argha Das
Mr. Abhishek Das
Mr. Abhijit Majumder

... For the petitioner.

Mr. Sudipto Panda
Mr. Sajal Pandit

...For the State.

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey.

...For the WBCSSC.

Affidavit of service filed in Court today is taken on record.

The petitioner has applied for transfer on medical grounds being physically handicapped. Admittedly, the petitioner was recruited under the PH category. This Court is of the view that the petitioner's application for transfer on medical ground cannot be entertained since the PH was pre-existing condition. The petitioner is bound in terms of rules 4 and 5 of the Rules of 2015 and cannot apply for transfer under the Rules of 2015 before completing 5 years. However, the petitioner may apply to the School Education Department highlighting his grievances for transfer and the department may take suitable decision in accordance with law thereon.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will 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.)