

21.06.2022
Court No.13
Item No.82
AP

WPA 9011 of 2022

Sukamal Kanti Das
Vs.
The State of West Bengal and Ors.

Mr. Amit Baran Dash
Mr. K.M. Hossain

... For the Petitioner.

Mr. Jahar Dutta
Mr. Bipin Ghosh

... For the State.

Mr. Sourav Mitra
Mr. Suman Dey

... For the WBCSSC.

The petitioner is physically handicapped for being 55 percent hard of hearing. He was, however, appointed in the school in the general quota and not as a physically handicapped person. After serving five years in the school, the petitioner applied for transfer on medical grounds citing extreme medical condition. His application is rejected.

The petitioner submits that merely because he has joined the school in a category other than physically handicapped category, the same should not stand in the way of applying for transfer on medical grounds.

This Court notices that the physical disability i.e. hearing disability upto 55 percent, do not stand in the way the petitioner discharging dues in the present school. The said disability is even otherwise not grave medical condition.

In these circumstances, the application for transfer made on medical grounds was rightly rejected by the school.

With the aforesaid observations, the writ petition is dismissed.

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.)