

10.08.2022
Court No.13
Item No.43
AP

WPA 11039 of 2022

**Chanchala Barman
Vs.
The State of West Bengal and Ors.**

Mr. Samim Ul Bari
Ms. Molly Saha

... For the Petitioner.

Mr. Rajarshi Basu
Mr. S.T. Mina

... For the State.

Mr. Sourav Mitra
Mr. Suman Dey

... For the WBCSSC.

Mr. Sufi Masih Aftab

... For the respondent Nos.6 & 7.

The petitioner is aggrieved by her application for transfer on medical grounds being returned by the concerned District Inspector of Schools. Based on the medical condition of the petitioner, the head of the institution obtained a report from the Medical Officer, Jangipur S.D. Hospital which indicated that the petitioner was suffering from Thalassemia Variant Hemoglobin E-trait.

The petitioner's medical condition was verified by the concerned District Inspector of Schools from the CMOH, Murshidabad.

The CMOH, Murshidabad submits that the petitioner was suffering from Chronic Anaemia-a Haematological disorder with Hb E trait-a Haematological disorder and Asthma-a lung disease. The

CMOH, Murshidabad has not found the petitioner eligible for transfer since the above diseases and disorders do not disclose a “serious illness”.

Given the medical opinion of the CMOH, Murshidabad, this Court is not inclined to grant the prayer of the petitioner for transfer on medical grounds.

The Original certificate of the CMOH, Murshidabad be made available to the petitioner.

With the aforesaid observations, the writ petition 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.)