

07.12.2023.
Court No.13
Item No. 176
sp

W.P.A. No. 16058 of 2023

**Sayantan Chatterjee
Versus
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury,
Ms. Bina Baidya,
Ms. Shreyeta Mitra

...For the petitioner.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee

...for the State

1. Affidavit of service filed in court today is taken on record.
2. The petitioner is the Assistant teacher with the respondent no. 6's school, Bilbari F.P. School, Purba Bardhaman. He has applied for transfer on medical ground in terms of the West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002 as amended on September 13, 2021, particularly Rule 5, Sub-Rule 3 and 3A thereof.
3. In those circumstances, the other pre-condition for transfer cannot be applied to him.
4. The DPSC shall call for a report on the petitioner's medical condition from the CMOH and if found true, shall process the application for transfer further in terms of the rule offline as expeditiously as possible.

5. With the aforesaid directions, the instant writ petition shall stand disposed of.
6. There shall be no order as to costs.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)