

44 12.10.2023

Ct-08

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MAT 1885 of 2023

with

I.A No. CAN 1 of 2023

Nitish Mandal

Vs.

The State of West Bengal & Ors.

Mr. Gouranga Kumar Das

... For the Appellant

Mr. Pinaki Dhole

Ms. Tapati Samanta

... For the State

Ms. Koyeli Bhattacharyya

... For WBBSE

Mr. Sourav Mitra

... For the WBCSSC

1. We have heard the learned counsel appearing for the parties.

2. Learned Single Judge after taking into consideration of the report of the Chief Medical Officer has rightly observed that there is on scope for re-assessment of the opinion of the Chief Medical Officer in deciding the general transfer.

3. In view of the aforesaid, the appeal being MAT 1885 of 2023 stands dismissed

4. In view of the dismissal of the appeal, the application being CAN 1 of 2023 is accordingly dismissed.

5. However, there shall be no order as to costs.

6. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar,J.)

(Soumen Sen, J.)