

21.12.2023
Sl No.1
Court No.8
(gc)

MAT 2280 of 2023

**Sahajahan Rahaman Akunjee
Vs.
The State of West Bengal & Ors.**

Mr. Shamim ul Bari,
...for the Appellant.
Mr. Biswabrata Basu Mallick, Ld. A.G.P.
Ms. Sucheta Pal,
...for the State.
Mr. Sunit Kumar Ray,
...for the School Service Commission.

1. This matter has come at the instance of the appellant for correction of the order dated 18th December, 2023. There are few typographical errors in Paragraphs 3, 5 and 6 of the order. The corrections are shown in bold letters in the said paragraphs.

2. After corrections, the said paragraphs shall read as follows:-

“3. *In view thereof, we direct the **respondent No.6**, namely, the **Chairman, West Bengal School Service Commission** to consider the representation of the petitioner/appellant for transfer on medical ground within four weeks from date, if required, after giving an opportunity of hearing to the appellant. The **respondent No.6** shall decide the matter in*

*accordance with Rule 4 of the West Bengal School Service Commission (General Transfer, Transfer on Special Grounds and Reallocation) Rules, 2015. The **respondent No.6** in deciding the application may call for a report from the CMOH as to the seriousness of the ailment.*

5. *We are giving an outer limit considering that there may be an impediment if immediately **he** is transferred before the Board exam. **His** service may be retained till the Board exam, if **he** is otherwise eligible for transfer.*
6. *This order shall be immediately communicated to the **respondent No.6** by either of the parties for compliance.”*
3. Let these corrections be incorporated in the order dated 18th December, 2023.
4. The server copy shall be corrected accordingly.
5. The Legal Remembrancer shall regularize the appointment of Mr. Biswabrata Basu Mallick, learned A.G.P. whom we have requested to represent the State.

(Uday Kumar, J.)
J.)

(Soumen Sen,