

Item No.10
22.11.2023
Court. No. 2`
GB

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION*

W.P.A. 2485 of 2023

Mira Roy
VS
The State of West Bengal & Ors.

*Mr. S.P. Lahiri,
Mr. Debajit Kundu*

...for the Petitioner.

*Mr. Subir Kumar Saha
Mr. Pretom Das*

...for the State.

Mr. Bikramaditya Ghosh

...for the SSC.

Affidavit-of-service filed in Court today, be kept with the record.

The petitioner submits that she applied for general transfer on special ground as she was suffering from gynaecological disorder. According to the petitioner, polycystic ovarian syndrome, fell within the category of severe gynaecological disease. The first application of the petitioner through the Utsashree portal was turned down on the ground that the petitioner did not suffer from a serious gynecological order.

The petitioner relies on page 45 of the writ petition to show that the school authorities had once again forwarded an application for transfer to the District Inspector of Schools. There are messages which have been

annexed to the writ petition which indicate that the petitioner was intimated that the matter was pending with the Chief Medical Officer of Health.

Under such circumstances, the writ petition is disposed of with a direction upon the District Inspector of Schools, Secondary Education, Cooch Behar to follow up the matter, in case the same is pending with the Chief Medical Officer of Health and process the matter on offline mode, including holding of the medical examination as required by law. If it is found that the petitioner is otherwise eligible on the ground mentioned for such transfer, necessary steps shall be taken according to the procedure and the rules in the offline manner and the authorities shall decide the matter within four months from the date of communication of this order. If any of the authorities involved in the process finds the petitioner ineligible, necessary communication shall be made to the petitioner.

In case the petitioner's application for transfer is considered favourably, the petitioner shall be shown the vacancy position for exercising option for a particular school.

Accordingly, the writ petition is disposed of.

However, there shall be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)