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01.03.2023
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A. 3382 of 2022

**Bikram Biswakarma
-versus
The Union of India & Ors.**

**Mr. Debajit Kundu.
...For the Petitioner.**

**Mr. Sudipto Kumar Mazumdar, Ld.DSGI,
Mr. Ajoy Kumar Singhanian.
...For the Respondents.**

A report has been placed before this Court from the office of the IGP, West Bengal Sector, CRPF dated 29th September, 2022. The brief history and the medical treatment of the petitioner are mentioned therein.

The Departmental Rehabilitation Board has found that the petitioner is not physically fit for combatised duty and less likely to improve at present.

The Board records that a fresh review medical examination is required. The H.O.O. has been personally requested to look into the matter and do the needful.

From the aforesaid document that has been placed before this Court, it appears that after the order of transfer in August, 2022 the aforesaid recommendation was made.

The controlling authority of the petitioner is directed to review the issue of transfer of the petitioner relying on the report of the Departmental Rehabilitation

Board dated 29th September, 2022 and take a decision as to whether the petitioner is required to be transferred in accordance with the transfer order dated 5th August, 2022.

A decision shall be taken by the concerned authority at the earliest, but positively within a period of three weeks from the date of communication of this order. A formal order shall be passed and communicated to the petitioner.

If required, further physical examination of the petitioner may be conducted to assess the condition of his health.

It is made clear that at this stage, the Court is not interfering with the impugned order of transfer dated 5th August, 2022 and the impugned transfer order will be subject to the further order passed by the concerned officer in terms of the direction passed herein above.

The petitioner is directed to co-operate with the Medical Board for the purpose of examination of his physical health.

Instruction filed in Court today be kept on record.

The writ petition stands disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)