

08.04.2024
Court No.13
Item No.328
AP

WPA 8888 of 2024

**Sangita Sarkar
Vs.
The State of West Bengal and Ors.**

Mr. Anindya Bose
Mr. Santanu Maji
Mr. Mridul Biswas

... For the Petitioner.

Mr. Ratul Biswas
Mr. Kaushik Chowdhury

... For the WBBPE.

Mr. Arindam Chattopadhyay
Mr. Soumik Dey

... For the DPSC, Nadia.

Ms. Sumita Sen

... For the DPSC, Birbhum.

1. The petitioner, who was an Assistant Teacher in the DPSC, Birbhum seeks transfer to any school in Nadia on medical ground. The petitioner joined services in July 2021 and suffered two renal failures on 2022.

2. The DPSC, Birbhum shall ascertain the medical condition of the petitioner independently from the CMOH, Birbhum and forward the same along with comments to the WBBPE. The WBBPE shall thereupon take an independent decision on the petitioner's application for transfer in accordance with the applicable rules within a period of eight weeks from date.

3. Needless to mention that if the petitioner had the medical condition at the time of entry to service, she shall not be eligible for transfer on special grounds.

4. Let the aforesaid process be conducted by the parties offline.

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.)