

08.04.2024
Court No.13
Item No.335
AP

WPA 9278 of 2024

**Rumi Barman
Vs.
State of West Bengal and Ors.**

Mr. Sudip Ghosh Chowdhury,
Ms. S. Mitra

... for the petitioner.

Mr. Shamim Ul Bari
Ms. Asmita Mitra

... for the DPSC, Malda.

Mr. Ratul Biswas
Mr. Kaushik Chowdhury

... for the WBBPE.

1. The petitioner has applied for transfer on medical ground of her son after completing two and half years of service within Malda district.

2. In the above circumstances, the DPSC, Malda shall ascertain the medical condition of the petitioner's son from the CMOH, Malda.

3. In the event it is found that the petitioner's son's medical condition was the same at the time when the petitioner join the service, her transfer shall not be considered on medical ground and be treated as an application for transfer on the ground of distance.

4. In these circumstances, DPSC, Malda shall take appropriate decision in the matter based on the medical opinion of the CMOH, Malda, in terms of the applicable rules within a period of ten weeks from date.

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

6. With the aforesaid directions, the instant writ petition shall stand disposed of.

7. There shall be no order as to costs.

8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)