

08.04.2024
Court No.13
Item No.333
AP

WPA 9274 of 2024

**Rinku Dutta
Vs.
The State of West Bengal and Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra

... For the Petitioner.

Mr. Mohan Kumar Sanyal

... For the State.

Mr. Amales Ray
Ms. Mousumi Bhowal
Mr. Amar Gupta
Mr. Ishan Bhattacharya

... For the DPSC, Cooch Behar.

1. The petitioner applied for transfer on medical ground of her child from Cooch Behar to Murshidabad.

2. In those circumstances, the DPSC, Cooch Behar shall ascertain the medical condition of the petitioner's child and submit an appropriate report to the WBBPE.

3. In the event it is found that the petitioner's child 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 a regular application for transfer.

4. Upon being satisfied appropriately in this regard and after receiving appropriate comments and opinion from the DPSC, Cooch Behar and the CMOH,

Cooch Behar, let a suitable decision be taken by the WBBPE in accordance with 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.)