

ML - 158
09.09.2024
Ct No. 5
b.r./D.Hira

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 9078 of 2023

Biswajit Karmakar
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,
Ms. Afrin Nahar Mondal.
... for the petitioner

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta.
... for the WBBSE

Mr. Jahar Dutta,
Mr. Bipin Ghosh.
... for the State

Mr. Sourav Mitra.
... for the WBCSSC

The matter relates to transfer of the petitioner on medical ground. In terms of the previous order passed by this Court on 20th August, 2024 report has been filed by the District Inspector of Schools (S.E.), Nadia dated 29th August, 2024 enclosing medical report of Chief Medical Officer of Health, Nadia (for short “CMOH”) dated 11th May, 2022.

The said report of the concerned District Inspector of Schools (S.E.), Nadia dated 29th August, 2024, is taken on record.

On perusal of the medical report of the

concerned CMOH dated 11th May, 2022, it transpires that no abnormality was detected on medical verification of the wife of the petitioner. Vide medical report dated 11th May, 2022 transfer of the petitioner on medical ground has not been justified.

Therefore, this Court does not find flaw in the decision taken by the concerned District Inspector of Schools (S.E.), Nadia not to forward the transfer application of the petitioner to the West Bengal Central School Service Commission.

In view of the medical report of the concerned CMOH dated 11th May, 2022, no relief can be granted to the petitioner.

The writ petition stands dismissed.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)