

29.04.2024.
Court No. 13
Item No. 55
pk

W.P.A. No. 10717 of 2024

**Banashree Ghosh
Versus
The State of West Bengal & Ors.**

Mr. Biswajit Hazra,
Mr. Archisman Sain,
Mr. Syed Masud Kabir

...For the petitioner.

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury.

...For the WBBPE.

Mr. Naba Kumar Das,
Mr. Subhabrata Das

...For the State.

Mr. Bhaskar Prasad Vaisya,
Mr. Nilay Baran Mandal

...For the DPSC, Kolkata.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner seeks general transfer on medical grounds despite not having completed five years of service in the present school. She seeks inter district general transfer from Purba Bardhaman to Kolkata. Although the petitioner has referred to several grounds being distance, children and medical, before this Court, the application for transfer is restricted to medical grounds.
3. In those circumstances, the Chairman, DPSC, Purba Bardhaman shall seek medical opinion from the CMOH there, on the petitioner's condition to ascertain as to whether the same is sufficiently serious to

compel her to stay within Calcutta where her husband and children reside.

4. Upon receipt of opinion of the concerned CMOH, the same shall be forwarded to the Secretary, WBBPE along with comments and the Secretary, WBBPE shall take an appropriate decision on the petitioner's application in accordance with the applicable Rules within 12 weeks from the date of receipt of opinion.

5. Let the aforesaid exercise be carried out offline and a decision in this regard be communicated to the petitioner forthwith thereafter.

6. Let a copy of this order along with a copy of the writ petition be served on the DPSC, Purba Bardhaman and the Secretary of the WBBPE.

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

8. There will be no order as to costs.

9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)