

18.06.2024.  
Court No.13  
Item No. 18  
ap

**W.P.A. No. 15259 of 2024**

**Payel Gupta  
Versus  
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury.  
...For the petitioner.  
Mr. Ratul Biswas,  
Mr. Kaushik Chowdhury.  
...For the WBBPE.  
Mrs. Bratati Roy Chowdhury,  
Mr. Biswanath Samanta.  
...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner seeks inter district transfer from under Uttar Dinajpur District Primary School Council to North 24 Parganas District Primary School Council. The ground for transfer is the medical condition of the petitioner and her minor child.
3. In those circumstances, the Chairman, Uttar Dinajpur District Primary School Council shall verify the medical condition of the petitioner and the petitioner's child from the CMOH, Uttar Dinajpur and forward the same to the Secretary, West Bengal Board of Primary Education along with comments within a period of two months from the date of receipt of a copy of this order. Upon receipt of the medical opinion and the comments from the District Primary School Council, Uttar Dinajpur, the Secretary, West Bengal

Board of Primary Education shall pass appropriate orders in consultation with the District Primary School Council, North 24 Parganas if found satisfied.

4. It shall also be ascertained that if the medical condition of the petitioner or her child was existing at the time when she was appointed in the first place, in such event, the petitioner would be bound by five years restriction on applying for transfer.

5. Let the West Bengal Board of Primary Education take a decision in the matter within a period of one month from the date of receipt of communication from the District Primary School Council, Uttar Dinajpur along with medical opinion of the petitioner and her child.

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

7. There will be no order as to costs.

8. 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.)***