

08.07.2024.
Court No.13
Item No. 16
ap

W.P.A. No. 16073 of 2024
Sabnam Haque
Versus
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury.

...For the petitioner.

Mr. Saibal Acharyya,

Mr. Tanweer J. Mandal.

...For the DPSC, Purba Burdwan.

Mr. Touseef Ahmed Khan,

Mr. Razzak Hossain.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner has applied for inter district transfer from under Purba Burdwan District Primary School Council to Nadia District Primary School Council on the medical grounds after completion of 2½ years of service at the present School.
3. Since the transfer on medical ground is not restricted by the period of service, let the Chairman, District Primary School Council, Purba Burdwan refer the petitioner and obtain medical opinion on the condition of the petitioner from the CMOH, Purba Burdwan 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, Purba Burdwan, the Secretary, West Bengal Board of Primary Education shall pass appropriate orders in consultation with the District Primary School Council, Nadia if found satisfied.

4. The CMOH, Purba Burdwan shall indicate as to whether the petitioner's medical condition is existing at the time of her entry into the service. In such case her application for transfer on medical ground shall not be considered.

5. Let consideration be effected by the Secretary, West Bengal Board of Primary Education and the District Primary School Council, Purba Burdwan along with medical opinion of the petitioner within a period of twelve weeks from the date of receipt of communication from the order along with a copy of the instant writ petition.

6. Mr. Acharyya, Counsel appearing on behalf of the Chairman, District Primary School Council, Purba Burdwan submits that Nadia District Primary School Council has not been made a party to the instant proceedings.

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.)