

08.07.2024.
Court No.13
Item No. 18
ap

W.P.A. No. 16513 of 2024
Zohora Khatun
Versus
The State of West Bengal & Ors.

Mr. Chittapriya Ghosh,
Mr. Somesh Ghosh,
Ms. Maitrayee Chatterjee.

...For the petitioner.

Mr. Saibal Acharyya,
Mr. Tanweer J. Mandal.

...For the DPSC, Purba Burdwan.

Mr. Arjun Singh,
Ms. Shabana Hasin.

...For the State.

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury.

...For the WBBPE.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner seeks inter district transfer from under Purba Bardhaman District Primary School Council to Murshidabad District Primary School Council. The ground for transfer is the medical condition of the petitioner.
3. In those circumstances, the Chairman, Purba Bardhaman District Primary School Council shall verify the medical condition of the petitioner from the CMOH, Purba Bardhaman 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 Bardhaman, the Secretary, West Bengal Board of Primary Education shall pass appropriate orders in consultation with the District Primary School Council, Murshidabad if found satisfied.

4. It shall also be ascertained that if the medical condition of the petitioner 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 two months from the date of receipt of communication from the District Primary School Council, Purba Bardhaman along with medical opinion of the petitioner.

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.)

