

16 30.08.2024
rkd Ct.18

W.P.A. 16756 of 2024

Bidhan Sarkar

-vs-

The State of West Bengal & Ors.

Mr. Sakti Pada Jana,
Mr. Subhajyoti Das

....for the petitioner.

Mr. Biswabrata Basu Mallick,
Mr. Biman Halder

....for the State.

Mr. Kanak Kiran Bandyopadhyay

....for the WBCSSC.

In terms of the order dated 1st August, 2024 a report in the form of affidavit has been filed on behalf of the District Inspector of Schools (SE), Malda which was affirmed on 27th August, 2024. Such report is taken on record.

On perusal of the report, it appears that on medical verification Chief Medical Officer of Health, Malda furnished a medical report dated 16th August, 2024 wherein it has been recorded that the petitioner is orthopedically fit. However, petitioner has been advised to attend Department of Cardiology at any State Medical College since due to non-availability of requisite medical facilities heart ailment of the petitioner could not be diagnosed. It is recorded in the medical certificate that such ailment falls under “severe heart disease”

as per notification dated 8th September, 2021.

Therefore, petitioner shall be at leave to obtain appropriate medical report or certificate from the Cardiology Department of any State Medical College. If certificate or medical document is issued by the competent authority of any State Medical College which justifies transfer of the petitioner in that event the concerned District Inspector of Schools (SE), Malda shall take steps to forward the transfer application of the petitioner to the concerned authority of the West Bengal Central School Service Commission for taking final decision.

With the aforesaid observation and direction the writ petition stands disposed of.

However, there shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)