

Item No.11

15.07.2024
Ct-14
AGM

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 17386 of 2024

Smt. Hasi Roy
vs.
The State of West Bengal & Ors.

Mr. Chittapriya Ghosh.
Mr. Somesh Ghosh.
Ms. Priyanka Saha.
Ms. Maitrayee Chatterjee.
... for the petitioner.

Mr. B. P. Baisya.
Mr. Gourav Das.
... for the D.P.S.C. South 24 Parganas.

Mr. Ratul Biswas.
Mr. Kaushik Chowdhury.
...For the WBBPE.

Mr. Arindam Chatterjee.
... for the DPSC, Nadia.

Ms. Rupsha Chakraborty.
Ms. Rajlaxmi Ghatak.
... For the State.

Affidavit-of-service filed in Court today be kept
with the records.

The petitioner was appointed as a Primary School
Teacher in the year 2024 in the district of South 24
Parganas. Her daughter is suffering from cancer and the
presence of the mother with the daughter is very much
required for healing the child.

The petitioner applied for inter district transfer on medical ground of her daughter on 24th June, 2024. She seeks transfer to a school in the district of Nadia.

The petitioner prays for consideration of the said representation on urgent basis.

Without going into the merits of the prayer of the petitioner and the legal complicacies involved in such transfer, as the minor daughter of the petitioner is suffering from cancer, accordingly, the Secretary of the West Bengal Board of Primary Education is directed to consider the prayer of the petitioner on an urgent basis and pass necessary order.

A decision shall be taken by the Secretary at the earliest but positively by 31st July, 2024. A reasoned order shall be passed and communicated to the petitioner immediately thereafter.

Learned advocate for the petitioner is directed to forward a copy of the representation seeking transfer along with all medical documents in support of her prayer to the aforesaid respondent at the time of communicating the order of the Court.

The time line fixed by the Court shall be strictly adhered to keeping in mind the emergent situation of the minor child.

The restriction of transfer within the first five years shall not be made applicable in the instant case.

The writ petition stands **disposed of**.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)