

05.11.2024
Court No. 18
Item No. 07
(Suvendu)

WPA 20888 of 2024

Poulomi Mukhopadhyay
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
.....for the petitioner

Mr. Sunit Kumar Roy
.....for the WBCSSC

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
.....for the WBBSE

Md. Ahsanuzzaman
Mr. Dhananjay Banerjee
.....for the State

Question which requires consideration is whether off-line transfer application is required to be considered on medical emergency.

It was recorded in previous order dated 11th September, 2024 that though present writ petition was filed on 16th August, 2024 but the medical document which was relied upon by the petitioner was dated 16th May, 2023, one year before the date of filing of this writ petition. This Court posed query to learned advocate representing the petitioner whether any contemporaneous medical document is available which supports the contention of the petitioner

that at present petitioner is suffering from serious ailment warranting immediate consideration of off-line transfer application of the petitioner. Learned advocate representing the petitioner on 11th September, 2024 prayed for leave to file supplementary affidavit disclosing current medical documents.

Pursuant to the leave granted by this Court vide order dated 11th September, 2024, supplementary affidavit affirmed on 19th September, 2024 is placed before this Court which is taken on record.

On perusal of supplementary affidavit, it transpires that not a single medical document has been annexed to supplementary affidavit which was issued just prior to date of filing of this writ petition on 16th August, 2024.

Curiously, last order was passed by this Court on 11th September, 2024 and to satisfy this Court copies of certain medical documents have been annexed to the supplementary affidavit which were issued after the said order was passed on 11th September, 2024. Learned advocate for the petitioner could not point out any alarming report concerning present health condition of the petitioner which requires special consideration relating to transfer of the

petitioner based on off-line application made to the concerned respondent authorities.

In view of aforesaid discussion, this Court is not inclined to entertain this petition and the writ petition stands dismissed.

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)