

28.02.2024.
Court No. 13
Item No. 222
ap

W.P.A. No. 25022 of 2023

**Monwara Seikh
Versus
The State of West Bengal & Ors.**

Mr. Sanjib Das,
Mr. Madhusudan Mukhopadhyay.
...For the petitioner.
Mr. Shamim Ul Bari.
...For the State.
Mr. Bhaskar Prasad Vaisya,
Mr. Suman Dey.
...For DPSC, Bankura.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner seeks transfer from Nutan Gram Primary School under Bankura District Primary School Council on 11.02.2017. She has developed certain medical conditions and has applied for transfer. The application is pending before the West Bengal Board of Primary Education as well as District Primary School Council, Bankura.
3. In those circumstances, District Primary School Council, Bankura shall assess the petitioner's medical condition after referring her case to the Chief Medical Officer of Health, Bankura. Based on the report of the C.M.O.H, Bankura, the District Primary School Council, Bankura shall take appropriate steps.
4. If the medical condition of the petitioner is confirmed by the C.M.O.H. and it is also confirmed

that the distance between her residence and School of 110 kilometers is indeed onerous given such medical condition, the District Primary School Council, Bankura shall forward the case of the petitioner to the West Bengal Board of Primary Education.

5. The Board upon receipt of the report of the C.M.O.H. and reference from the WBBPE shall pass appropriate orders in accordance with law transferring her to the preferred Schools, namely, respondents no.s15, 16 and 17 at Paschim Midnapore or in any School that has been chosen by her or one closer to her residence at Bankura subject to availability of vacancy.

6. Let the aforesaid exercise be conducted by the District Primary School Council, Bankura and the Board, offline within two months from the date of communication of a copy of this order.

7. In view of the above, the instant writ petition shall stand disposed of without any order.

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.)