

Court No. 18
(265704)

WPA 28887 of 2022

14.11.2024

(AD 25)

(S. Banerjee)

Soma Mondal

Vs.

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury

Ms. Shreyeta Mitra

...for the petitioner

Mr. Gourav Das

...for the State

Dr. Sutanu Kumar Patra

...for the WBCSSC

In terms of the order dated 29th August, 2024, a report in the form of an affidavit has been filed on behalf of the West Bengal Central School Service Commission and same is taken on record.

On perusal of the said report it appears that Four-member Medical Board headed by Superintendent, District Hospital, Howrah furnished a report dated 1st September, 2021 on examining the son of the petitioner which, though has mentioned that petitioner's son was suffering from certain ailments including Covid-19 but, on scrutiny of such medical report the concerned authority of the Commission has observed in the report that it does not come under the definition of 'severe heart disease' as contemplated under the amended Rule

4(a) as contained in notification dated 8th September, 2021.

It also appears from the said medical report dated 1st September, 2021 that the Medical Board, headed by the Superintendent, District Hospital Howrah, did not specifically advise transfer of the petitioner is required to take care of the son of the petitioner.

Hence, no relief can be granted to the petitioner based on such medical report dated 1st September, 2021 taking note of the amended provisions as contained in Rule 4(a) as alluded above.

The writ petition stands dismissed. However, there shall be no order as to costs.

Urgent photostat certified copies, if applied for, be issued to the parties on compliance of requisite formalities.

(Saugata Bhattacharyya, J.)