

Item No.17
20.06.2024
Court. No. 2
srn

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION*

W.P.A. No.1250 of 2024

Soma Das
VS
The State of West Bengal & Ors.

Mr. Debajit Kundu

...for the Petitioner.

*Mr. Nabankur Paul,
Mr. Sumit Kumar*

...for the State-respondents.

Mr. Deborshi Dhar

*...for the District Primary School
Council, Cooch Behar.*

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

The petitioner prays for general transfer on
medical ground, to any school close to her residence at
Mathabhanga, District – Cooch Behar. The petitioner also
made a representation before the Chairman, District
Primary School Council, Cooch Behar.

This Court is not inclined to pass any mandatory
direction with regard to the prayers of the petitioner.
However, this Court directs the Chairman, District
Primary School Council to treat the writ petition as a
representation and take necessary steps with regard to

disposal of the application filed by the petitioner seeking transfer.

Decision however shall be taken and communicated to the petitioner within a period of two months from date of communication of this order. An opportunity of hearing shall be given to the petitioner and the school authorities. The matter shall be dealt with in the offline mode.

This Court has not gone into the merits of the claim of the petitioner.

However, if the prayer of the petitioner is found to be legitimate before any decision is taken, the authority concerned shall be at liberty to call for appropriate medical report from the Chief Medical Officer of Health with regard to the medical condition of the petitioner.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)