

05.01.2024
Item No.14
gd

WPA/2955/2023
SUBODH ROY
VS
STATE OF WEST BENGAL & ORS.

Mr. Bikash Singha,
Ms. Madhushuri Dutta
..for the Petitioner.

Mr. Pretom Das,
Ms. Patralekha Chowdhury
..for the State.

Mr. Bikramaditya Ghosh,
Ms. Supriya Singh
..for SSC.

Affidavit of service filed in court today is taken
on record.

It has been submitted by the learned advocate
for the petitioner that the respondents have been
duly served.

The petitioner who is an Assistant Teacher of
a High School situated at Uchal Pukuri Krisak Udyog
High School, Post Office-Dhulla in the District of
Cooch Behar has prayed for general transfer on
medical ground.

It appears that a representation dated
05.12.2023 was submitted before various
authorities, but no representation was submitted
before the school authority.

The learned advocate for the State and the
School Service Commission submits that the

petitioner has to first obtain the No Objection from the concerned school and only thereafter the prayer for general transfer on medical ground can be considered.

The learned advocate for the petitioner, in his usual fairness, submits that the petitioner did not submit any representation before the school authority for obtaining No Objection.

WPA 2955 of 2023 stands disposed of by giving liberty to the petitioner to apply before the school authority for No Objection for transfer and if such an approach is made, the school authority, being the respondent nos.7 and 8, shall consider the same and take a decision within a period of three weeks from the submission of such prayer.

In the event the school authority decides in favour of the petitioner, they shall take steps in accordance with the relevant Notifications.

There shall be no order as to costs.

Urgent certified copy of this order, if applied for, be given to the learned advocates for the parties on usual formalities.

(HIRANMAY BHATTACHARYYA, J.)