

S/L 4
21.03.2025
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 1743 of 2025

Akib Javed

Vs.

The State of West Bengal & Ors.

Mr. Dibyendu Chatterjee

Ms. Reshmi Ghosh

Ms. Parna Mukherjee

...for the Petitioner.

Mr. Moniruzzaman

Mr. Nirmalya Roy

...for the State.

Sk. Nayeemul Haque

...for the DPSC, Murshidabad.

Mr. Shibaji Kumar Das

...for Dr. Angshuman Mukherjee.

Mr. Ratul Biswas

Mr. Kaushik Chowdhury

...for the WBBPE.

The petitioner is an Assistant Teacher at Debaipur Primary school, a school under Bhagwangola South Circle of the Murshidabad District Primary School Council.

The petitioner is praying transfer to any school near to his residence under the said Council on the ground of his illness. A medical certificate has annexed with the petition to justify the prayer. It appears from the said medical certificate that he has been declared fit for normal activities including teaching but the doctor unnecessarily labored himself in giving further advice that a posting near his residence would help his medical treatment which completely unwarranted.

In compliance with the direction of this Court dated March 17, 2025, Dr. Angshuman Mukherjee who had issued the said certificate, is personally present before this Court and submits that he would not issue such kind of certificate in future. Personal appearance of Dr. Mukherjee is dispensed with.

In view of the specific opinion of the doctor that the petitioner is fit for normal activity, the prayer of the petitioner for transfer is refused.

WPA 1743 of 2025 is dismissed without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance of all requisite formalities.

(Biswajit Basu, J.)