

01.05.2025
SI No.12
Court No.8
(gc)

**MAT 584 of 2025
CAN 1 of 2025**

**Himadri Sekhar Rout
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,
Ms. Debalina Chakraborty
... for the Appellant.
Mr. Bimalendu Das,
Mr. Dipankar Dasgupta
...for the State.
Mrs. Koyeli Bhattacharyya,
Mr. Bibek Dutta,
Ms. Keya Panja
...for the W.B.B.S.E.
Mr. Sourav Mitra
...for the W.B.C.S.S.C.

1. In view of the admitted position that the appellant suffers visual impairment of 40%, he is not entitled to relaxation in terms of the notification dated 21st December, 2021 by which the West Bengal School Service Commission (General Transfer, Transfer on Special Grounds and Reallocation) Rules, 2015 was amended specifying that a teacher suffers from visual disability of 60% or more as certified by competent authority, would be eligible for transfer on special ground. It is needless to mention that if the visual impairment is established to be of 60% or

more, the case of the petitioner can be considered for transfer on special ground.

2. The learned Counsel for the appellant submits that the application may be considered for general transfer in the event he is deprived on medical ground. It would be open for the appellant to make appropriate application for general transfer and the D.I. in that event shall consider the same.
3. With the aforesaid observation, the appeal and the connected application are disposed of.
4. However, there shall be no order as to costs.
5. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Soumen Sen, J.)

(Smita Das De, J.)