

Item No.36
15.07.2025
Court No.08
Cp

MAT 966 of 2025
with
CAN 1 of 2025

Nibedita Sen
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Mrs. Shreyita Mitra
Ms. Pritha Biswas

.....for the appellant.

Mr. Sourav Mitra

.....for the C.S.S.C.

Mr. Rajat Dutta
Ms. S. Chatterjee

....for the State.

1. Although we are convinced that paragraph 8 of the impugned judgment has permitted the petitioner/appellant to make an application afresh for transfer on medical and distance ground and on any other grounds that may be available to the petitioner, the learned advocate for the petitioner submits that the said paragraph has rejected the prayer of the petitioner to be considered for transfer on medical ground.
2. However, we are not in agreement with the submissions made on behalf of the appellant. We reiterate that the appellant shall be entitled to make an application afresh on medical grounds post June 7, 2023, since the petitioner was examined last by the CMOH as well as on

distance ground. She may be examined by the medical board afresh if she makes an application for transfer on medical ground.

3. The appeal is disposed of accordingly. The connected application being CAN 1 of 2025 is also disposed of.
4. There shall be no order as to costs.
5. Urgent photostat certified copy of this order, if applied for, be given to the parties on an urgent basis upon compliance of usual formalities.

(Soumen Sen, J.)

(Smita Das De, J.)