

45 07.03.2025
NB Ct. 02

Calcutta High Court
In The Circuit Bench At Jalpaiguri
Appellate Side

WPA 541 of 2025

Jayanta Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Mr. Soumyajit Laskar.
...for the petitioner.

Mr. Anirban Banerjee,
Ms. Pratusha Dutta Chowdhury.
...for the State.

Mr. Bikramaditya Ghosh
...for the Primary School.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is an Assistant Teacher at the Uttar Salbari Saibyapara Primary School, Dhupguri in the district of Jalpaiguri. He has not yet completed his probationary period of two years. However, there are some exceptional circumstances in which he was constrained to make an application for transfer on special medical ground. First, he is suffering from a brain tumor which needs surgery. Secondly, chemotherapy is going on for his treatment. He has made an application seeking transfer before the President of the West Bengal Board of Primary Education on 12.02.2025. But, the same has not been considered yet.

Learned counsel appearing on behalf of Board submits that since this is truly a very exceptional case, the petitioner may be at liberty to file a comprehensive

application seeking transfer attaching all relevant medical documents before the Secretary of the Board and the same would be considered in accordance with law.

In view of the above, let the petitioner seek transfer on special medical ground before the Secretary of the West Bengal Board of Primary Education at the earliest by attaching all copies of relevant medical documents. If the same is done within a week from this date, the Secretary of the Board shall consider the prayer of the petitioner as a special case in accordance with law and as expeditiously as possible, preferably within a period of four weeks from the date of making such application. The Board shall not insist for any confirmation certificate from the petitioner.

With these observations, the writ petition is disposed of.

As affidavits were not called for, allegations contained in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)