

09.09.2024
Court No. 18
Item No. 13
(Suvendu)

WPA 21545 of 2024

Debashree Saha
-Versus-

The State of West Bengal & Ors.

Ms. Rama Haldar
Ms. Diya Dutta
.....for the petitioner

Mr. Sourav Mitra
.....for the WBCSSC

Md. Farhaduddin
Mr. Tauhid Khan
.....for the State

Affidavit of service filed on behalf of the
petitioner is taken on record.

In spite of service of notice, school
authorities of Nabadwip Bakultala Balika
Vidyalaya being respondent nos. 6 to 8 are not
represented.

Learned advocate representing State
respondents submits that transfer application of
petitioner on medical ground could not be
forwarded to West Bengal Central School Service
Commission due to failure on the part of the
concerned Chief Medical Officer of Health to

forward medical verification report. In the written instruction of the concerned District Inspector of Schools dated 5th September, 2024 it is indicated in paragraph 4 that transfer application of petitioner made on designated portal on 19th July, 2022 which was forwarded to the concerned CMOH on 2nd August, 2022 but no medical report was furnished, as a result whereof transfer application of petitioner was sent back to school authority. Said written instruction dated 5th September, 2024 is taken on record.

Court directs the District Inspector of Schools (SE), Nadia being respondent no. 5 to forward transfer application of petitioner again to concerned CMOH and obtain medical report by three weeks from the date of communication of this order. If medical report justifies transfer of petitioner, transfer application of petitioner shall be forwarded to the West Bengal Central School Service Commission for taking final decision. If transfer application along with medical report are forwarded to the Commission, the Commission shall take decision on transfer application of petitioner within a reasonable time.

It is made clear that suspension of Utshasree portal shall not be a ground for rejecting transfer application of the petitioner.

With the aforesaid observations and directions, writ petition is disposed of.

There shall be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Saugata Bhattacharyya, J.)