

17.09.2024
Court No. 18
Item No.12
(Suvendu)

WPA 22425 of 2024

Ramit Kumar Das
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
.....for the petitioner

Mr. Sudipto Panda
Mr. D. Kar
.....for the State

Mr. Sunit Kumar Roy
.....for the WBCSSC

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
....for the WBBSE

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

Matter relates to transfer of the petitioner
who is working as an Assistant Teacher in a
Government aided secondary school.
Application for transfer on self medical ground
was preferred by the petitioner on Utshasree
portal on 13th May, 2022 and same was
forwarded to the District Inspector of Schools
(SE), Uttar Dinajpur being respondent no. 4 on
25th July, 2022. Grievance of the petitioner is in
spite of receipt of transfer application through
portal by the respondent no. 4 far back on 25th
July, 2022 till date respondent no. 4 has not

taken any step. It is also submitted by learned advocate representing the petitioner that after making transfer application on self medical ground, wife of petitioner was found to be suffering from Thyroid Cancer. It is contended on behalf of the petitioner that since his wife has been found to be suffering from Cancer that should be an additional ground for petitioner's transfer.

Respondents are represented by learned advocates who have jointly submitted that in the event respondent no. 4 forwards transfer application to West Bengal Central School Service Commission, Commission shall decide the transfer application of the petitioner in accordance with law.

Respondent no. 4 is directed to obtain medical report from the concerned Chief Medical Officer of Health (CMOH) on medical verification of the petitioner and if medical report justifies transfer of the petitioner, transfer application and medical report shall be forwarded by the respondent no.4 to West Bengal Central School Service Commission for taking final decision. In the event the Chairman of the Commission receives transfer application, same shall be decided by the Chairman of the Commission

within reasonable time. The aforesaid exercise shall be completed by the respondent no. 4 by six weeks from the date of communication of this order.

Writ petition is accordingly 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.)