

W.P.A. 24002 of 2024

**Jyostna Khatun
Vs.
The State of West Bengal & Ors.**

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

Mr. Gourav Das
Mr. Sanjoy Sarkar
...for the State

Mr. Kanak Kiran Bandyopadhyay
..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 since
petitioner is suffering from gynecological disorder.
Petitioner made application for transfer on medical
ground on 20th January, 2022 and same was forwarded
by the school authority where petitioner is presently
working to the concerned District Inspector of Schools
(SE) Malda being respondent no. 4 for taking further
steps.

The respondent no. 4 took steps for medical
verification of the petitioner by concerned Chief Medical
Officer of Health and it has been submitted by the
learned advocate for the petitioner that the report has

already been furnished by CMOH. Petitioner prays for direction upon the respondent no. 4 to forward the transfer application along with medical report to the West Bengal Central School Service Commission for taking final decision.

State-respondents, West Bengal Central School Service Commission and the West Bengal Board of Secondary Education are represented by learned advocates who have submitted that the respondent no. 4 can only forward the transfer application of the petitioner if medical report of CMOH justifies transfer of the petitioner.

Having considered the submissions made on behalf of the parties writ petition stands disposed of directing the respondent no. 4 to forward the transfer application of the petitioner along with medical report, if medical report of concerned CMOH justifies petitioner's transfer. The aforesaid exercise shall be completed by the respondent no. 4 by 4 (four) weeks from the date of communication of this order.

If transfer application of the petitioner is received by the West Bengal Central School Service Commission the Chairman of the Commission being respondent no. 3 is directed to take decision on the transfer application of the petitioner by 8 (eight) weeks thereafter.

It is made clear that transfer application of the petitioner shall not be rejected on the ground of suspension of Portal.

There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)