

11 25.11.2024
rkd Ct.18

W.P.A. 27391 of 2024

Shatabdi Banerjee

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra

....for the petitioner.

Ms. Rama Halder,
Mr. Kartik Chandra Kapas

....for the State.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta,
Ms. Keya Panja

....for the WBBSE.

Mr. Sourav Mitra

....for the WBCSSC.

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

Matter relates to transfer of the petitioner on
self-medical ground which was made on Utsashree
portal on 25th May, 2022.

It has been submitted by the learned advocate
representing the petitioner in reference to a document
at page 19 of the writ petition that on 20th September,
2022 school authority has conveyed “No Objection” for
transfer of the petitioner through portal to the
concerned District Inspector of Schools (SE) but the
District Inspector of Schools (SE), North 24 Parganas
being respondent no.4 did not process the transfer
application of the petitioner on the ground of distance

in between the residence of the petitioner and the school.

It is submitted by learned advocate representing the petitioner that application for transfer was made on medical ground; therefore distance will not be a determining factor in taking decision on such transfer application.

The learned advocate representing the State respondents as well as West Bengal Central School Service Commission have jointly submitted that since it is a case of transfer on medical ground respondent no.4 is required to obtain medical report from the concerned Chief Medical Officer of Health and in the event report comes in favour of the transfer of the petitioner same is required to be forwarded to the concerned authority of the Commission for taking final decision.

Having considered the submission made on behalf of the parties, the writ petition stands disposed of directing the respondent no.4 to obtain medical report on medical verification of the petitioner from the concerned Chief Medical Officer of Health by fortnight from the date of communication of this order and if medical report justifies transfer of the petitioner relevant papers including transfer application of the petitioner shall be forwarded by the respondent no.4 to

the Chairman, West Bengal Central School Service Commission being respondent no.3 by seven days thereafter.

In the event, Chairman, West Bengal Central School Service Commission receives transfer application along with other documents from respondent no.4, the respondent no.3 shall decide on transfer application of the petitioner within six weeks thereafter.

The decision to be taken by the Chairman shall be communicated to the petitioner within one week thereafter.

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

However, 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.)