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12.12.2024
Ct. No. 18
(ARPAN)

W.P.A. 28721 of 2024

**Abhijit Hazra
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra

...for the Petitioner

Mr. Indranil Roy, Sr. Adv.
Mr. Janardan Mandal

...for the State

Ms. Supriya Dubey

...for WBCSSC

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

...for WBBSE

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

Petitioner has made application for transfer on
Utsashree portal on 23rd September, 2022 since his son
is suffering from Thalassemia Major. Learned advocate
representing the petitioner has drawn attention of this
court to a medical document dated 22nd March, 2024 at
page 21 of the writ petition wherefrom it appears
petitioner's son underwent Hematopoietic Stem Cell
transplantation from unrelated donor on 18th December,
2023 in a hospital in Chennai. Petitioner prays for
direction upon the concerned respondent authorities to
take steps for his transfer which would facilitate him to

take care of his son who is suffering from Thalassemia Major.

Respondents are represented by learned advocates. It is submitted on behalf of the respondents that contemporaneous decision could not be taken on transfer application of the petitioner since portal was closed on and from 29th September, 2022.

Having considered medical condition of son of the petitioner which finds corroboration from the medical document dated 22nd March, 2024, District Inspector of Schools (S.E.), Paschim Bardhaman being respondent no.4 is directed to obtain report from the concerned Chief Medical Officer of Health on medical verification of son of the petitioner by three weeks from date and if medical report justifies transfer, transfer application along with medical report shall be forwarded to the Chairman, West Bengal Central School Service Commission for taking final decision by seven days thereafter. On receipt of transfer application and medical documents Chairman, West Bengal Central School Service Commission is directed to take decision on transfer application of the petitioner in accordance with law by four weeks thereafter and the order to be communicated to the petitioner by one week thereafter.

It is made clear that suspension of Utsashree portal shall not be a ground to reject transfer application of the petitioner.

Hence, writ petition stands disposed of.

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.)