

ML- 27.03.2025
210 Ct.18
rkd

W.P.A. 1126 of 2024

Poulomi Goswami

-vs-

The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri,
Mr. Rajesh Naskar,
Ms. Indrani Roy,
Mr. Ankan Mondal

....for the petitioner.

Ms. Tuli Sinha

....for the State.

Mr. Sourav Mitra

....for the WBCSSC.

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

....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.

An application was made on Utsashree
portal on 9th August, 2022 seeking transfer on
medical ground and same was forwarded by the
school authority where petitioner is presently
working with No Objection Certificate to the
concerned District Inspector of Schools (SE), South

24 Parganas being respondent no.6.

The grievance of the petitioner is till date respondent no.6 has not forwarded the transfer application to the West Bengal Central School Service Commission for taking final decision.

The learned advocate representing the State respondents is not in a position to apprise this Court whether petitioner has been medically examined or not.

If petitioner till date is not medically examined by the concerned CMOH, respondent no.6 is directed to obtain medical report from the concerned CMOH/Medical Officer on medical examination of the petitioner by three weeks from date.

In the medical report concerned CMOH/Medical Officer is required to certify considering nature of ailment of the petitioner whether she is required to avoid long distance journey or not.

If medical report justifies transfer of the petitioner, respondent no.6 shall forward the transfer application along with medical report to the West Bengal Central School Service Commission by ten days thereafter.

On receipt of transfer application and

medical certificate the Chairman, West Bengal Central School Service Commission shall decide the same by four weeks thereafter.

The decision to be taken by the Chairman shall be communicated to the petitioner by ten days thereafter.

While taking decision if Chairman finds that the posts which are indicated in the transfer application are not available an opportunity shall be granted to the petitioner to inform three other vacancies for transfer of the petitioner to one of those schools.

However, it is made clear that suspension of Utsashree portal shall not be a ground for rejecting the transfer application of the petitioner.

Leave is granted to the learned advocate for the petitioner to amend the cause title and add Chairman, West Bengal Central School Service Commission as additional respondent.

Service of notice upon the additional respondent stands dispensed with since West Bengal Central School Service Commission is represented by learned advocate.

The writ petition stands disposed of.

However, there shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)