

05.08.2025
Court No. 18
Item No. 309(ML)
(Suvendu)

WPA 2500 of 2024

Abira Sinha
-Versus-

The State of West Bengal & Ors.

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

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

Mr. Pinaki Bhattacharyya
Ms. Priyanka Jana
.....for the State

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

2) Petitioner prays for transfer since she is suffering from ailments. Petitioner made transfer application on Utshasree portal on 4th August, 2022 and it further appears from a document at page 23 of the writ petition that medical examination of the petitioner was conducted prior to 3rd September, 2022.

3) It is contended on behalf of the respondent authorities that by this time nearly three years have passed and due to constant treatment and care health condition of the petitioner may have improved.

4) Having considered the submissions made on behalf of the parties, the District Inspector of Schools (SE), Howrah being respondent no. 5 is directed to obtain medical report from the concerned Chief Medical Officer of Health/ Medical Board afresh on medical examination of the petitioner by four weeks from date of communication of this order. In the medical report Chief Medical Officer of Health/ Medical Board is required to opine considering present health condition of the petitioner whether petitioner is required to avoid long distance journey or not. If medical report justifies transfer of the petitioner, respondent no. 5 shall forward transfer application of the petitioner along with medical report to the Chairman, West Bengal Central School Service Commission being respondent no. 2 by fortnight thereafter. On receipt of transfer application and medical report, respondent no. 2 shall decide the transfer application in accordance with law by for weeks thereafter. Decision to be taken by respondent no. 2 shall be communicated to the petitioner by fortnight thereafter.

5) Writ petition stands disposed of, without any order as to costs.

6) However, transfer application of the petitioner shall not be rejected on the ground of suspension of Utshasree portal.

7) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)