

07.04.2025
Court No. 18
Item No.20
(**Suvendu**)

WPA 3670 of 2025

Poli Ghosal Chakraborty
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Debalina Chakraborty
Ms. Pritha Biswas
.....for the petitioner

Ms. Suman Biswas
....for the State

Mr. Koyeli Bhattacharyya
Mr. Bibek Datta
Ms. Keya Panja
....for the WBBSE

Mr. Sourav Mitra
....for the WBCSSC

In terms of order dated 4th March, 2025, report of the District Inspector of Schools (SE), Nadia dated 18th March, 2025 enclosing medical report dated 4th January, 2023 is filed today and same is taken on record.

On perusal of medical report dated 4th January, 2023, it appears that on medical examination it was certified that petitioner was gynecologically unfit. However, in said report it was not disclosed that petitioner was required to avoid long distance journey for her ailment.

This writ petition is filed for consideration of transfer application of the petitioner which was made on 5th September, 2022 on Utshasree portal since petitioner was suffering from gynecological disorder. Therefore, Court ought not to go beyond scope of this writ petition in order to find out other reasons for transfer of the petitioner.

Since medical report dated 4th January, 2023 is not exhaustive, this Court directs the District Inspector of Schools (SE), Nadia being respondent no. 4 to obtain medical report afresh from the concerned Medical Board /Chief Medical Officer of Health on medical examination of petitioner by four weeks from date of communication of this order. In the medical report concerned Medical Officer /Chief Medical Officer of Health is required to opine whether nature of ailment of petitioner is such she is required to avoid long distance journey. If medical report justifies transfer of the petitioner, respondent no. 4 shall forward transfer application along with medical report to the Chairman, West Bengal Central School Service Commission being respondent no. 3 by fortnight thereafter. On receipt of transfer application and medical report, respondent no. 3 shall

decide the same in accordance with law by six weeks thereafter. Decision to be taken by respondent no. 3 shall be communicated to the petitioner by ten days thereafter.

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

Writ petition stands disposed of.

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)