

W.P.A. 4673 OF 2025

Somenath Roy
Vs.
The State of West Bengal & Ors.

Mr. Jayanta Kumar Das, Adv.
Mr. Goutam Kumar Basak, Adv.

...for the Petitioner

Mr. Nara Narayan Ganguly, Adv.
Mr. Bikramjit Mondal, Adv.

...for the State

Mr. Kanak Kiran Bandopadhyay, Adv.
Mr. Sunit Kumar Roy, Adv.

...for W.B.C.S.S.C

Ms. Koyeli Bhattacharyya, Adv.
Mr. Bibek Dutta, Adv.

...for W.B.B.S.E

In terms of order dated 19th March, 2025, a report dated 8th April, 2025 of the District Inspector of Schools (S.E.), Murshidabad is placed before this Court and same is taken on record.

On perusal of the report, it appears that Medical Superintendent-cum-Vice Principal, Murshidabad Medical College and Hospital, Berhampore has furnished one medical report dated 24th June, 2022, which is cryptic.

It is also submitted on behalf of the respondent authorities that medical report is dated 24th June, 2022 and meanwhile due to treatment, health condition of wife of the petitioner may have improved.

Since in-exhaustive medical report is furnished by the Medical Superintendent-cum-Vice

Principal, Murshidabad Medical College and Hospital, Berhampore, District Inspector of Schools (S.E.), Murshidabad being respondent no.7 is directed to obtain fresh medical report on medical examination of wife of the petitioner from the concerned Chief Medical Officer of Health/ Medical Board by four (4) weeks from the date of communication of this order. In the medical report concerned Chief Medical Officer of Health or the Medical Board is required to certify that nature of ailment of wife of the petitioner is such which will require constant care and supervision. If medical report justifies transfer of the petitioner, respondent no.7 is directed to forward the transfer application along with medical report to the Chairman, West Bengal Central School Service Commission being respondent no.6 by fortnight thereafter. On receipt of transfer application along with medical report, respondent no.6 shall decide the same, in accordance with law, by four (4) weeks thereafter and the decision to be communicated to the petitioner by ten (10) days thereafter.

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

With the above directions, writ petition stands disposed of.

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

(Saugata Bhattacharyya, J.)