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12.03.2025
Ct. No. 18
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W.P.A. 5196 of 2025

**Swarup Kumar Sarkar
Vs.
The State of West Bengal & Ors.**

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

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja
...for the Board

Mr. Sunit Kumar Roy
...for the WBCSSC

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

Matter relates to transfer of the petitioner since wife of the petitioner is suffering from gynecological disorder. In support of transfer of the petitioner medical report dated 13th September, 2022 issued by the Block Medical Officer of Health, Natidanga Rural Hospital, Nadia is relied upon. It is further submitted that application was made on Utsashree Portal for transfer on 14th September, 2022 and same was processed by the school authority where petitioner is presently working and was forwarded to the concerned District Inspector of Schools (SE) for taking further steps. The District Inspector of Schools in his turn has processed

the transfer application and forwarded the same to the West Bengal Central School Service Commission for taking final decision on 9th November, 2022. Grievance of the petitioner is in spite of receiving transfer application far back on 9th November, 2022 as yet transfer application is not decided by the concerned authority of the West Bengal Central School Service Commission.

West Bengal Central School Service Commission and Board are represented by learned advocates who have submitted due to suspension of portal with effect from 29th September, 2022 till date decision could not be taken.

This Court having considered the submissions made on behalf of the parties and on perusal of the relevant documents available on record finds that concerned BMOH has furnished a medical report dated 13th September, 2022 wherein it is specifically certified that wife of the petitioner needs regular medical supervision and monitoring for her health problems. Therefore, this Court finds that the issue needs to be decided immediately by the West Bengal Central School Service Commission.

Accordingly, the Chairman, West Bengal Central School Service Commission is directed to

take decision on transfer application of the petitioner by 4 (four) weeks from the date of communication of this order and the decision shall be communicated to the petitioner by 10 (ten) days thereafter.

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

The writ petition stands disposed of.

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

(Saugata Bhattacharyya, J.)