

W.P.A. 5271 of 2025

Md. Serajul Islam
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
...for the Petitioner

Mr. Sourav Mitra
...for the CSSC
Mr. Sahabuddin Sardar
Mr. Sourav Mondal
...for the State

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

Petitioner has prayed for transfer based on application made on 1st March, 2022 since wife of the petitioner is suffering from gynecological disorder. Application was made on Utsashree Portal which was forwarded by the school authority where petitioner is presently working to the District Inspector of Schools (SE) Murshidabad being respondent no. 5. It is submitted on behalf of the petitioner that though the transfer application was subsequently sent to the West Bengal Central School Service commission but till date no decision has been taken by the Commission.

On query being posed to the learned advocate representing the petitioner relating to

nature of ailment of wife of the petitioner medical certificate dated 5th February, 2022 issued by Medical Officer Murshidabad Medical College & Hospital is relied upon but from where it is not found that nature of ailment of wife of the petitioner is such which requires constant care and supervision. Furthermore, it is also submitted on behalf of the respondents that this medical certificate is dated 5th February, 2022 and by this time on administering continuous treatment wife of the petitioner may have been cured. Therefore, prayer is made on behalf of the respondents for fresh medical examination of the wife of the petitioner.

Respondent no. 5 is directed to obtain medical report from the concerned medical officer by 3 (three) weeks from the date of communication of this order on medical examination of wife of the petitioner. In the medical report concerned medical officer shall state considering the nature of ailment of wife of the petitioner whether constant care and supervision is required or not. If medical report justifies transfer of the petitioner respondent no. 5 shall forward the medical report along with transfer application to the Chairman, West Bengal Central School Service Commission by

fortnight thereafter. On receipt of transfer application and medical report Chairman shall decide the same by 4 (four) weeks thereafter.

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.)