

21.04.2025
Court No. 18
Item No.67
(Suvendu)

WPA 5662 of 2025

Papiya Khatun
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
.....for the petitioner

Mr. Mrinal Kani Ghosh
Ms. Priyanka Mukherjee
....for the State

Mr. Kanak Kiran Bandyopadhyay
....for the WBCSSC

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

In terms of order dated 21st March, 2025, report of the District Inspector of Schools (SE), Murshidabad dated 11th April, 2025 is filed today enclosing medical report prepared by the Medical Superintendent cum Vice-Principal, Murshidabad Medical College and Hospital, Berhampore, Murshidabad. Report of the District Inspector of Schools (SE), Murshidabad along with medical report are taken on record.

On perusal of the medical report, it appears that same is not exhaustive. It has not been opined by the concerned Medical Officer whether ailment of the petitioner is such that

petitioner is required to avoid long distance journey. It is also submitted on behalf of respondent authorities that petitioner was medically examined in the year 2022 and thereafter with help of constant treatment health condition of the petitioner may have improved.

In view of aforesaid scenario, the District Inspector of Schools (SE), Murshidabad being respondent no. 5 is directed to obtain medical report afresh from the concerned Chief Medical Officer of Health/ Medical Board on medical examination of the petitioner by four weeks from date of communication of this order. In the medical report concerned Chief Medical Officer of Health /Medical Board is required to opine whether nature of ailment of the petitioner is such, she is required to avoid long distance journey. If medical report justifies transfer of the petitioner, respondent no. 5 shall forward transfer application along with medical report to the Chairman, West Bengal Central School Service Commission being respondent no. 4 by fortnight thereafter. On receipt of transfer application and medical report, respondent no. 4 shall decide the same in accordance with law by six weeks thereafter. Decision to be taken by

respondent no. 4 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.)