

03.04.2025
Court No. 18
Item No.20
(Suvendu)

WPA 6730 of 2025

Sukuruddin Sk.
-Versus-

The State of West Bengal & Ors.

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

Mr. Kamal Kumar Chattopadhyay
Mr. Debopriyo Karan
....for the State

Mr. Koyeli Bhattacharyya
Mr. Bibek Datta
....for the WBBSE

Mr. Sunit Kumar Roy
....for the WBCSSC

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

Petitioner made application for transfer on
medical ground on 17th February, 2022 since
wife of the petitioner is suffering from
gynecological disorder. Medical report dated
15th March, 2022 is enclosed at page 22 of the
writ petition.

Petitioner prays for direction for
consideration of his transfer application.

On perusal of medical report dated 15th
March, 2022, it appears that same is not
exhaustive.

It is submitted by learned advocate representing West Bengal Central School Service Commission that in the mean time wife of the petitioner may have been cured due to constant treatment.

Considering respective submissions made on behalf of the parties, this Court finds it fit to direct the District Inspector of Schools (SE), Murshidabad being respondent no. 5 to obtain medical report afresh from the concerned Medical Officer /Chief Medical Officer of Health on medical examination of wife of the petitioner. In the medical report concerned Medical Officer /Chief Medical Officer of Health is required to certify that nature of ailment of wife of the petitioner requires constant care and supervision. Respondent no. 5 shall obtain medical report by four weeks from the date of communication of this order and 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 four

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.)