

22.09.2025
Court No. 18
Item No.176 (DL)
(**Suvendu**)

WPA 6737 of 2025

Madhumita Guha
-Versus-

The State of West Bengal & Ors.

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

Ms. Debarati Sen
.....for the State

Mr. Sunit Kumar Roy
...for the WBCSSC

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
....for the WBBSE

1. In terms of the order dated 30th April, 2025 report of the District Inspector of Schools (SE), Bankura dated 14th May, 2025 is filed today and same is taken on record.
2. On perusal of the said report, it appears that medical report which was furnished in connection with online transfer application of the petitioner dated 24th August, 2022 was not available on record as a result whereof District Inspector of Schools (SE), Bankura being respondent no. 5 requested Chief Medical Officer of Health, Bankura vide memo dated 7th May, 2025 to supply copy of the

report if same is available. However, it is stated in the said report that in response to the memo dated 7th May, 2025 concerned Chief Medical Officer of Health could not furnish copy of the report. Learned advocate representing the petitioner submits since application for transfer on medical ground was made by the petitioner more than three years back on 24th August, 2022, she may be examined again by the medical expert for ascertaining her present health condition.

3. West Bengal Central School Service Commission (for short, "Commission") and West Bengal Board of Secondary Education are represented by learned advocates and it is submitted on their behalf that due to efflux of time health condition of petitioner may have improved.
4. Having considered the submissions made on behalf of the parties and taking note of the report dated 14th May, 2025, respondent no. 5 is directed to obtain report on medical examination of the petitioner from the concerned Chief Medical Officer of Health/ Medical Board 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

considering present health condition of the petitioner whether she is required to avoid long distance journey or not. If medical report justifies transfer of the petitioner, transfer application and medical report shall be forwarded by the respondent no. 5 to the Chairman of the 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 within a period of six weeks thereafter and decision to be taken by respondent no. 4 shall be communicated to the petitioner by fortnight thereafter.

5. However, it is made clear that suspension of portal shall not be a ground to reject the transfer application of the petitioner.
6. Writ petitioner stands disposed of.
7. There shall be no order as to costs.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)