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(DL)

10.04.2025
Ct. No. 18
(ARPAN)

W.P.A. 6627 OF 2025

**Mukarram Hossain
Vs.
The State of West Bengal & Ors.**

Mr. Shuvro Prokash Lahiri, Adv.
Mr. Rajesh Naskar, Adv.
Ms. Indrani Roy, Adv.
Mr. Ankan Mondal, Adv.

...for the Petitioner

Mr. Gourav Das, Adv.
Mr. Biman Halder, Adv.

...for the State

Mr. Sunit Kumar Roy, Adv.

...for W.B.C.S.S.C

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

Matter relates to transfer of the petitioner
based on application made on Utsashree portal on 23rd
January, 2022 since wife of the petitioner was
suffering from a gynaecological disorder. Medical
report dated 28th January, 2022 in that regard is
annexed at page 25 of the writ petition which is not
exhaustive. Nothing is spelt out in the medical
certificate dated 28th January, 2022 that nature of
ailment of the wife of the petitioner is such which
requires constant care and supervision.

It is also submitted on behalf of respondent
authorities that the medical certificate is of 2022 and
in the meantime, due to constant treatment, health
condition of the wife of the petitioner may have
improved.

Having considered the submissions made on behalf of the parties and taking note of the medical certificate dated 28th January, 2022 which is cryptic, District Inspector of Schools (S.E.), Murshidabad being respondent no.5 is directed to obtain further medical report on medical examination of wife of the petitioner from the concerned Chief Medical Officer of Health/ Medical Board by four (4) weeks from the date of communication of this order. Concerned Chief Medical Officer of Health/ Medical Board is required to opine in the report that nature of ailment of the wife of the petitioner is such which will require constant care and supervision. If medical report justifies transfer of the petitioner, transfer application of the petitioner along with medical report shall be forwarded by respondent no.5 to the Chairman, West Bengal Central School Service Commission being respondent no.4 by fortnight thereafter. On receipt of transfer application along with medical report, respondent no.4 shall decide the same, in accordance with law, by four (4) weeks thereafter and the decision to be communicated to the petitioner by one (1) week thereafter.

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

With the above directions, writ petition stands disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)