

ML 136
01.09.2025
Ct. No. 18
adeb

W.P.A. 6978 of 2025

**Subhasis Biswas
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Mr. A. Ghosh
...for the petitioner
Mr. Arindam Chattopadhyay
Ms. Rupannita Laha
...for the State

Mr. Sunit Kr. Roy
...for the SSC
Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
...for the WBBSE

1. In terms of the order dated 4th April, 2025 a report is submitted by the District Inspector of Schools (SE) Bankura dated 6th May, 2025 which is taken on record.
2. However, on perusal of medical report dated 6th May, 2022 it does not appear that the wife of the petitioner requires constant care and supervision or not considering her health condition.
3. Furthermore, learned advocate representing the respondents have submitted that wife of petitioner was examined in the month of May, 2022 and more than three years have passed in the meantime. It is submitted by this time due to constant care and treatment health condition of wife of the petitioner may have improved.

4. Learned advocate representing the petitioner submits that wife of the petitioner is ready to be medically examined again for ascertainment of her present health condition.
5. Having considered the respective submissions made on behalf of the parties District Inspector of Schools (SE) Bankura being respondent no. 5 is directed to obtain medical report from the concerned Chief Medical Officer of Health/Medical Board on medical examination of the wife of the petitioner by 4 (four) weeks from the date of communication of this order. In the medical report CMOH/Medical Board is required to opine considering present health condition of the wife of the petitioner whether she requires constant care and treatment or not. If medical report justifies transfer of the petitioner transfer application along with medical report shall be forwarded to the Chairman, West Bengal Central School Service Commission by fortnight thereafter. On receipt of transfer application and medical report respondent no. 4 shall decide the transfer application in accordance with law within a period of 4 (four) weeks thereafter. Decision to be taken by the respondent no. 4 shall be communicated to the petitioner by fortnight thereafter.

6. It is made clear that transfer application of the petitioner shall not be rejected on the ground of suspension of portal.

7. Writ petition stands disposed of.

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

(Saugata Bhattacharyya, J.)