

**IN THE HIGH COURT AT CALCUTTA**  
**Constitutional Writ Jurisdiction**  
**Appellate Side**

Ct.551      **12.09.25**  
Item No.2      Sws.M

**WPA 7119 of 2025**

**Smt. Falguni Ghosh**  
**Vs**

**The State of West Bengal & Ors.**

Mr. Tilak Mitra  
Mr. Soumon Nanda  
Mr. Darpan Dutta

...for the petitioner

Mr. Jyoti Prakash Chatterjee

....for the State

Mr. Rabiul Islam  
Mr. Maswooq rahman

....for the respondent No. 5

Mr. Sourav Mitra

....for the Central School Service  
Commission

1. The petitioner is aggrieved by non-consideration of her request for transfer from the School whereat she is serving.
2. The petitioner has been working at the post of Assistant Teacher in Dadpur –Bataspur Junior High School since September 27, 2007.
3. On March 17, 2025, the petitioner applied for transfer from the said school on the twin grounds of the petitioner suffering from gynecological problems and of the school where the petitioner has been serving being at a distance of 251.9 K.M. from the petitioner's residence.

4. The petitioner's application for transfer was addressed to the administrator, Dadpur –Bataspur Junior High School, but the said application was not forwarded to the relevant District Inspector of Schools (Secondary Education (Birbhum)).
5. In terms of the provisions of West Bengal School Service Commission ( General Transfer, Transfer on Special Grounds and Reallocation) Rules, 2015, (in short 'the said Rules of 2015') upon an application on the ground of gynecological disorder causing serious problem in attending school being made, the school authorities are obliged to get the applicant examined by doctor of the School Managing Committee and if the case is found to be fit for transfer, then to forward the same to the relevant District Inspector of Schools alongwith "No Objection Certificate" in terms of Rule 6(2) of the aforesaid Rules of 2015 whereupon the District Inspector of Schools is in turn required to take the view of the Chief Medical Officer of Health on the said transfer application related to medical grounds forwarded to him.
6. The course thereafter is to be governed by the Rule 6(3) and (4) of the said Rules of 2015.
7. In the case at hand, the respondent No. 5, i.e. the Headmaster Dadpur –Bataspur Junior High School, has filed a report in the form of an affidavit thereby

stating that the petitioner's application for transfer though has been received by the School Authority, had not been forwarded to the relevant District Inspector of Schools because the UTSASHREE portal was not functional.

8. Such an excuse is not appreciated. If the UTSASHREE portal was not functioning there was nothing that stopped the School Authority from forwarding the said application physically or through off-line mode to the District Inspector of Schools.
9. Having heard the learned advocates for the respective parties and having considered the material on record, this writ petition is disposed of by directing the respondent -School Authorities to take immediate steps in terms of Rule 6 of the said Rules of 2015 which would include petitioner's examination by the doctor of the School Managing Committee and if the petitioner's case is found to be fit then to forward the petitioner's application for transfer to the District Inspector of Schools (Secondary Education), Birbhum along with a "No Objection Certificate", in accordance with the said Rules of 2015 immediately. Furthermore, since there is a ground of the school being too far away from the petitioner's residence, the respondents shall be required to consider the said ground also,

independent of the ground of gynecological disease, in accordance with law.

10. It is made clear that if the UTSASHREE portal is functioning, such forwarding would be done through UTSASHREE portal by online mode and if the UTSASHREE portal is not functional, such forwarding would be done physically, that is by offline mode. The School Authorities shall remain obliged to do the needful in terms of the relevant provisions of the said Rules of 2015 within a period of two weeks from the date of communication of this order.
11. Needless to mention that the District Inspector of Schools (Secondary Education), Birbhum and the West Bengal School Service Commission shall also perform their respective roles and duties discharge their dutiesrules strictly in terms of Rule 6 (3) and 6(4) respectively of the said Rules of 2015 and would ensure that the time limits mentioned in the said Rules of 2015 are adhered to.
12. WPA 7119 of 2025 stands disposed of on the above terms.
13. There shall, however, be no order as to costs.
14. Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

***(Om Narayan Rai , J.)***