

17.04.2025
Court No. 18
Item No.06
(Suvendu)

WPA 7488 of 2025

Abhijit Naskar
-Versus-

The State of West Bengal & Ors.

Mr. Sakti Pada Jana
Mr. Subhajyoti Das
.....for the petitioner

Mr. K.J. Yusuf
Mr. Parikshit Goswami
....for the State

Mr. Kanak Kiran Bandyopadhyay
....for the WBCSSC

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

Petitioner's last transfer application was
made on Utshasree portal on 10th November,
2022 since wife of the petitioner was suffering
from Gynecological disorder. On receipt of
transfer application, concerned school authority
forwarded the transfer application to the District
Inspector of Schools (SE), South 24 Parganas
being respondent no. 3 for processing the same.

Grievance of the petitioner is in spite of
receipt of transfer application respondent no. 3
did not take steps for forwarding the same to the
concerned authority of West Bengal Central

School Service Commission for deciding the transfer application finally.

State respondents and West Bengal Central School Service Commission are represented by learned advocates who have submitted that due to suspension of portal steps could not be taken on transfer application of the petitioner by obtaining medical report from the concerned Chief Medical Officer of Health/ Medical Board.

In view of aforesaid scenario, this Court directs the District Inspector of Schools (SE), South 24 Parganas being respondent no. 3 to obtain medical report from the concerned Chief Medical Officer of Health/ Medical Board on medical examination of wife of the petitioner 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 whether nature of ailment of wife of petitioner is such which requires constant care and supervision. If medical report justifies transfer of the petitioner, respondent no. 3 shall forward transfer application along with medical report to the Chairman, West Bengal Central School Service Commission being respondent no. 5 by fortnight thereafter. On

receipt of transfer application and medical report, respondent no. 5 shall decide the same in accordance with law by six weeks thereafter. Decision to be taken by respondent no. 5 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.)