

W.P.A. 7986 OF 2025

Santu Roy
Vs.
The State of West Bengal & Others

Mr. Anindya Bose, Adv.
Mr. Golam Mohiuddin, Adv.
Mr. Santanu Maji, Adv.

...for the Petitioner

Mr. Gourav Das, Adv.
Mr. Soumik Dey, Adv.

...for the State

Mr. Arindam Chattopadhyay, Adv.

...for D.P.S.C., Nadia

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

Petitioner being a primary teacher made an application for transfer on Utsashree portal on 2nd December, 2021 since wife of the petitioner is suffering from Gynaecological disorder. In reference to a document at page 45 of the writ petition, it is contended on behalf of the petitioner that in spite of preferring application far back on 2nd December, 2021, till date Sub-Inspect of Schools of the concerned circle has not forwarded the transfer application of the petitioner to the concerned authority of District Primary School Council, Nadia for taking final decision.

Respondents are represented by learned advocates and it is submitted on behalf of District Primary School Council, Nadia that if transfer application is forwarded by Sub-Inspector of School of the concerned circle to the District Primary School Council, Nadia in

that event necessary steps shall be taken for taking final decision on the same.

Having considered the submissions made on behalf of the parties, direction is given upon the Sub-Inspector of Schools of the concerned circle to forward the transfer application of the petitioner to the Chairman, District Primary School Council, Nadia being respondent no.4 by fortnight from the date of communication of this order. On receipt of transfer application, respondent no.4 shall obtain medical report from the concerned Chief Medical Officer of Health/ Medical Board by four (4) weeks thereafter on medical examination of wife of the petitioner. Concerned CMOH/ Medical Board is required to opine that the nature of ailment of wife of the petitioner requires constant care and supervision. If medical report justifies transfer of the petitioner, respondent no.4 shall decide the transfer application of the petitioner in consideration of the medical report by four (4) weeks thereafter. Decision to be taken by respondent no.4 shall be communicated to the petitioner by ten (10) days 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.)