

W.P.A. 8410 OF 2025

Rumpa Ghosh
Vs.
The State of West Bengal & Others

Mr. Himadri Sikhar Chakraborty, Adv.
...for the Petitioner

Mr. Santanu Kumar Mitra, Sr. Govt. Adv.
Mr. Subhabrata Das, Adv.
...for the State

Mr. Avishek Prasad, Adv.
...for D.P.S.C., Malda

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

Petitioner has made an offline application for transfer on 5th March, 2025 on medical ground since petitioner has given birth on 15th February, 2024 to a male child who is suffering from serious ailments. It is also submitted that petitioner has completed more than five years of continuous approved service. Therefore, in terms of relevant amended provisions as contained in notification dated 13th September, 2021 amending West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002, petitioner is entitled to be transferred to another school on medical ground.

State respondents and Chairman, District Primary School Council, Malda being respondent no.6 are represented by learned advocates.

Respondent no.6 is directed to obtain medical report from the concerned Chief Medical Officer of

Health/ Medical Board by four (4) weeks from the date of communication of this order on medical verification of child of the petitioner. If medical report justifies transfer of the petitioner, respondent no.6 shall decide transfer application of the petitioner by four (4) weeks thereafter. The decision to be taken by respondent no.6 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.

However, there shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)