

05.05.2025
Court No. 18
Item No. 12
(Suvendu)

WPA 8840 of 2025

Sumanta Sarkar
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Debalina Chakraborty
Ms. Pritha Biswas
.....for the petitioner

Mr. Sourav Mitra
.....for the WBCSSC

Mr. Binoy Kumar Das
Mr. Tanmoy Khan
.....for the State

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja
...for the WBBSE

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

Petitioner prays for transfer on medical
ground since wife of the petitioner is suffering from
gynecological disorder.

However, nothing is on record wherefrom it
can be ascertained that wife of the petitioner was
suffering from gynecological disorder and to that
extent whether medical report has been issued by
the concerned Chief Medical Officer of Health/
Medical Board or not.

District Inspector of Schools (SE), Birbhum being respondent no. 5 is directed to obtain 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 the petitioner is such which requires constant care and supervision or not. If medical report justifies transfer of the petitioner, respondent no. 5 is directed to forward transfer application of the petitioner along with medical report to the Chairman, West Bengal Central School Service Commission being respondent no. 4 by fortnight thereafter. On receipt of transfer application and medical report, respondent no. 4 is directed to decide the transfer application of the petitioner by six weeks thereafter. Decision to be taken by respondent no. 4 shall be communicated to the petitioner by ten days thereafter.

Writ petition stands disposed of, without any order as to costs.

However, transfer application of the petitioner shall not be rejected on the ground of suspension of Utshasree portal.

Urgent photostat certified copy of this order,
if applied for, be given to the parties on usual
undertaking.

(Saugata Bhattacharyya, J.)