

05.05.2025
Court No. 18
Item No. 14
(Suvendu)

WPA 8858 of 2025

Krishnendu Mondal
-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

Ms. Anwari Quraishi
Ms. Tapati Samanta
.....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 made last transfer application on
Utshasree portal on 12th June, 2022 since petitioner
was suffering from cardiac problem.

On perusal of page 19 of the writ petition, it
appears that concerned school authority
recommended transfer of the petitioner on 2nd July,
2022 considering petitioner's ailment.

However, during course of hearing, no
medical report prepared by the concerned Chief

Medical Officer of Health/ Medical Board is placed before this Court for consideration neither by the learned advocate representing the petitioner nor by the learned advocate representing State respondents.

After last transfer application was made on 12th June, 2022 nearly three years have passed.

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 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 cardiac problem of the petitioner is such for which petitioner is required to avoid long distance journey. 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.)