

W.P.A. 9041 OF 2025

Debashish Kumar Ghosh
Vs.
The State of West Bengal & Others

Mr. Biswarup Biswas, Adv.
Ms. Nupur Chaudhuri, Adv.

...for the Petitioner

Mr. Krishna Das Poddar, Adv.
Ms. Bineeta Bhattacharjee, Adv.

...for the State

Ms. Supriya Dubey, Adv.

...for W.B.C.S.S.C.

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

Matter relates to transfer of the petitioner since
wife of the petitioner is suffering from Gynaecological
disorder. An application for transfer was made on
Utsashree portal on 28th March, 2022 and same was
forwarded to the District Inspector of Schools (S.E.),
North 24 Parganas being respondent no.4 for taking
further steps.

While considering the claim of the petitioner, this
Court does not find the medical report, which was
submitted by the concerned Chief Medical Officer of
Health/ Medical Board and such report is also not part
of the record.

Learned advocates representing the respondents
have opposed the writ petition since application for
transfer on medical ground was made on 28th March,
2022 and in the meantime three years have passed. It is
also contended that by this time health condition of wife

of the petitioner may have improved due to constant care and treatment.

In view of rival submissions made on behalf of the parties, this Court directs respondent no.4 to obtain a fresh medical report from the concerned Chief Medical Officer of Health/ Medical Board on examination of wife of the petitioner by four (4) weeks from the date of communication of this order. Concerned CMOH/ Medical Board is required to opine in the report whether nature of ailment of wife of the petitioner is such, which requires constant supervision and care or not. If medical report justifies transfer of the petitioner, respondent no.4 is directed to forward the transfer application along with medical report to the Chairman, West Bengal Central School Service Commission being respondent no.7 by fortnight thereafter. On receipt of such transfer application and medical report respondent no.7 shall decide the transfer application by four (4) weeks thereafter and the decision to be taken shall be communicated to the petitioner by fortnight 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.)