

4.
16-07-2025
(Ct. no.18)
debajyoti

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
APPELLATE SIDE**

WPA 9306 of 2025

**Mamata Maity
Vs.
The State of West Bengal & Ors.**

Mr. Tapas Maity

... For the Petitioner.

Mr. Sougata Mitra,
Mr. Nikhil Kumar Gupta

... For the State.

Mr. Sunit Kumar Roy

... For the SSC.

1. In terms of the order dated 09th June, 2025, report is filed by the District Inspector of Schools (S.E.), Paschim Medinipur, being the respondent no.4, enclosing medical report dated 04th July, 2022 furnished by Chief Medical Officer of Health, Paschim Medinipur. Report of the respondent no.4 is taken on record.

2. Learned advocate, representing the petitioner, submits that there is improvement of health condition of the son of the petitioner to certain extent, but still he is suffering from the ailment.

3. Learned advocates, representing the respondents, have jointly submitted that after son of petitioner was medically examined in July, 2022, three years have passed in the meantime and due to constant treatment and care, health condition of the son of petitioner may have improved.

4. In view of respective submissions made on behalf of parties, this Court directs the respondent

no.4 to obtain medical report from the concerned Chief Medical Officer of Health/Medical Board by three weeks from the date of communication of this order on medical examination of the son of petitioner. In the medical report, CMOH/Medical Board is required to opine considering present health condition of the son of the petitioner whether son requires constant care and supervision or not. If the medical report justifies transfer of petitioner, the respondent no.4 shall forward the transfer application along with the medical report to the Chairman, West Bengal Central School Service Commission, being the respondent no.3, by a fortnight thereafter. On receipt of the transfer application and medical report, respondent no.3 is directed to decide the transfer application by four weeks thereafter in accordance with law. The decision to be taken by the respondent no.3 shall be communicated to the petitioner by a fortnight thereafter.

5. It is made clear that suspension of portal shall not be a ground to reject transfer application of the petitioner.

6. The writ petition stands disposed of.

7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

8. Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Saugata Bhattacharyya, J.)