

W.P.A. 9607 OF 2025

**Ujjal De
Vs.
The State of West Bengal & Others**

Mr. Shuvro Prokash Lahiri, Adv.
Mr. Rajesh Naskar, Adv.
Ms. Indrani Roy, Adv.
Mr. Ankan Mondal, Adv.

...for the Petitioner

Mr. Bhaskar Prasad Vaisya, AGP
Mr. Ranjan Saha, Adv.

...for the State

Mr. Suman Dey, Adv.

...for D.P.S.C., Bankura

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

Petitioner being a primary teacher working in a school in Bankura has made an online application for transfer on Utsashree portal on 29th May, 2022 since wife of the petitioner was suffering from Gynaecological disorder. Concerned Sub-Inspector of Schools of the Circle on 30th May, 2022 forwarded the transfer application of the petitioner to the District Primary School Council, Bankura for taking necessary steps in deciding the said transfer application.

Grievance of the petitioner is transfer application of the petitioner has not yet been decided and wife of the petitioner has not been examined by the concerned Chief Medical Officer of Health/ Medical Board.

District Primary School Council, Bankura and State respondents are represented by learned advocates who have opposed the writ petition since application for

transfer was made on 29th May, 2022 and in the meantime nearly 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.

Having considered the respective submissions made on behalf of the parties, Chairman, District Primary School Council, Bankura being respondent no.6 is directed to obtain medical report from the concerned CMOH/ Medical Board on medical examination of wife of the petitioner by four (4) weeks from the date of communication of this order. In the medical report concerned CMOH/ Medical Board is required to opine whether nature of health condition 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.6 shall decide the transfer application, in accordance with law, based on medical report to be furnished by medical expert by four (4) weeks thereafter. Decision to be taken by respondent no.6 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.)