

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. 10188 OF 2025

PINKI BASUMATA
VS.
THE STATE OF WEST BENGAL & OTHERS

Mr. Ujjal Ray, Adv.
Mr. Abdur Rahim, Adv.

...for the Petitioner

Mr. Naba Kumar Das, Adv.
Mr. SM. Samim Ullah, Adv.

...for the State

Ms. Supriya Dubey, Adv.

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

1. Today no one is representing the respondent nos.7 to 9 and no accommodation is prayed for. Previously on 18th August, 2025 on the request made on behalf of the respondent nos.7 to 9 hearing of this writ petition was adjourned. Notices were served upon respondent nos.7 to 9.
2. Writ petitioner made offline application for transfer on 10th March, 2025 in the prescribed *pro-forma* but the authorities of Islampur Girls High School (X), Murshidabad being respondent nos.7 to 9 till have not issued 'No Objection' certificate in favour of the petitioner as a result whereof present writ petition has been filed.
3. It is submitted on behalf of the petitioner that application for transfer was made on 10th March, 2025

on medical ground and unless said application for transfer is forwarded to the District Inspector of Schools (S.E.), Murshidabad being respondent no.6, transfer application cannot be decided in terms of procedures relating to transfer.

4. In view of submissions made on behalf of the parties, Headmistress, Islampur Girls High School being respondent no.8 is directed to issue 'No Objection' certificate in favour of the petitioner and forward transfer application of the petitioner in offline mode to the respondent no.6 by fortnight from the date of communication of this order.
5. On receipt of transfer application respondent no.6 shall obtain medical report from the concerned Chief Medical Officer of Health/ Medical Board on medical examination of the petitioner by four (4) weeks thereafter. In the medical report CMOH/ Medical Board is required to opine considering present health condition of the petitioner whether she is required to avoid long distance journey or not. If medical report justifies transfer of the petitioner, transfer application along with medical report shall be forwarded to the Secretary, West Bengal Central School Service Commission by fortnight thereafter for taking final decision.

6. On receipt of transfer application along with medical report, Secretary of the Commission shall decide the transfer application, in accordance with law by four (4) weeks thereafter and the decision to be taken shall be communicated to the petitioner by ten (10) days thereafter.
7. It is made clear that suspension of portal shall not be a ground to reject transfer application of the petitioner.
8. Leave is granted to the learned advocate representing the petitioner to amend the cause title of this writ petition and add Secretary, West Bengal Central School Service Commission as additional respondent in course of this day. However, service of notice upon the additional respondent stands dispensed with since Commission is represented today by learned advocate.
9. With the above directions writ petition stands disposed of.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)