

D/L20
11.06.2025
Rohit
ct.no.18

WPA 10158 of 2025

**Chhabirani Sinha
Versus
The State of West Bengal & Ors.**

Mr. Santanu Maji
Ms. Debrani Mandal
Ms. Rima Banerjee

...for the Petitioner

Ms. Debarati Sen (Bose)

.... For the State

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja

...for the WBBSE

Mr. Sourav Mitra

...for the CSSC

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

Petitioner made an application for transfer in prescribed proforma on 4th April, 2025 and the school authority where petitioner is presently working issued No Objection for transfer of the petitioner. Subsequently, school authority forwarded the transfer application of the petitioner to the concerned District Inspector of Schools (S.E.), Hooghly being respondent no. 9 for taking further steps.

Grievance of the petitioner is in spite of receipt of transfer application by the respondent no. 9 on 4th April, 2025 till date same has not been processed.

It is submitted on behalf of the respondent authorities that due to suspension of portal respondent no. 9 could not take steps on the transfer application of the petitioner.

It is already decided by this Court that statutory right of transfer as provided in the relevant rules cannot be curtailed by suspension of portal. Hence, respondent no. 9 is directed to obtain medical report from the concerned Chief Medical Officer of Health/Medical board on medical examination of the petitioner by four weeks from the date of communication of this order.

In the medical report it is required to be indicated considering nature of ailment of the petitioner whether petitioner is required to avoid long distance journey or not. If medical report justifies transfer of the petitioner, respondent no. 9 shall forward the transfer application along with medical report to the Chairman, West Bengal Central School Service Commission being respondent no. 5 by fortnight thereafter.

On receipt of transfer application and medical report respondent no. 5 shall decide transfer application by six weeks thereafter and decision to 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.

Accordingly, the writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Saugata Bhattacharyya, J.)