

W.P.A. 10387 OF 2025

**Aparna Banerjee
Vs.
The State of West Bengal & Others**

Mr. Sudip Ghosh Chowdhury, Adv.
Ms. Shreyeta Mitra, Adv.
Ms. Debalina Chakraborty, Adv.
Ms. Pritha Biswas, Adv.

...for the Petitioner

Mr. Tapas Kumar Adhikari, Adv.
Mr. Sibasis Banerjee, Adv.

...for the State

Mr. Kanak Kiran Bandyopadhyay, Adv.

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

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

...for W.B.B.S.E.

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

Petitioner made last transfer application on
Utsashree portal on 28th August, 2022, which was
forwarded by the school authority where petitioner is
presently working to the District Inspector of Schools
(S.E.), Purba Medinipur being respondent no.5 on 31st
August, 2022. Petitioner prayed for transfer since she
was suffering from gynaecological disorder. However,
medical report is not part of the record which had been
forwarded by the concerned Chief Medical Officer of
Health (CMOH)/ Medical Board.

It is submitted by the learned advocates
representing the respondents that petitioner was
medically examined prior to 13th September, 2022 and

in the meantime, due to constant care and treatment, health condition of the petitioner may have improved.

Considering the respective submissions made on behalf of the parties, respondent no.5 is directed to obtain a fresh medical report from the concerned CMOH/ Medical Board on medical examination of the petitioner by four (4) weeks from the date of communication of this order. In the medical report considering nature of ailment of the petitioner, the concerned CMOH/ Medical Board is required to opine whether petitioner is to avoid long distance journey or not. If medical report justifies transfer of the petitioner, respondent no.5 shall forward the transfer application along with medical report to the Chairman, West Bengal Central School Service Commission being respondent No.4 by fortnight thereafter. On receipt of transfer application and medical report respondent no.4 shall decide the same, in accordance with law, by six (6) weeks thereafter and the decision to be taken by the respondent no.4 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.)