

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

09 30.06.2025
rkd Ct.18
Judgment

W.P.A. 10469 of 2025

Soma Das

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,
Ms. Pritha Biswas,
Mr. Subhodip Maitra

....for the petitioner.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta

....for the WBBSE.

Mr. Kanak Kiran Bandyopadhyay

....for the WBCSSC.

1. In terms of order dated 12th June, 2025 notice was served upon the learned advocate representing the State respondents. Notice dated 17th June, 2025 is filed today and taken on record.
2. In spite of service of notice State respondents are not represented.
3. Petitioner made an application for transfer as the petitioner was suffering from gynecological disorder, on Utsashree portal on 3rd March, 2022 and prayer is made for consideration of transfer application by the concerned respondent authorities.
4. West Bengal Central School Service Commission

and West Bengal Board of Secondary Education are represented by learned advocates who have jointly submitted that petitioner was medically examined prior to 24th April, 2022 and in the meantime three years have passed.

5. It is contended that due to constant treatment health condition of the petitioner may have improved.
6. In view of respective submissions made on behalf of the parties, District Inspector of Schools (SE), Purba Bardhaman being respondent no.5 is directed to obtain medical report afresh 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.
7. In the medical certificate CMOH/Medical Board is required to opine considering the health condition of the petitioner whether she is required to avoid long journey or not.
8. If medical report justifies transfer of the petitioner, respondent no.5 shall forward transfer application along with medical report to the Chairman, West Bengal Central School Service Commission being respondent no.4 by fortnight thereafter.
9. On receipt of transfer application and medical

report respondent no.4 shall decide the same in accordance with law by four weeks thereafter.

10. The decision to be taken by the respondent no.4 shall be communicated to the petitioner by fortnight thereafter.
11. The writ petition stands disposed of.
12. However, it is made clear that suspension of Utsashree portal shall not be a ground for rejecting the transfer application of the petitioner.
13. There shall be no order as to costs.
14. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)