

02.07.2025
Court No. 18
Item No. 07
(Suvendu)

WPA 10637 of 2025

Bholanath Mondal

-Versus-

The State of West Bengal & Ors.

Mr. Ujjal Ray

Mr. Atreya Chakraborty

.....for the petitioner

Mr. Kanak Kiran Bandyopadhyay

.....for the WBCSSC

Mr. Bibekananda Tripathy

Ms. Dipankar Jana

.....for the State

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) In spite of service of notice, authorities of Shibnagar Mokshada Sundari Vidyamandir (HS), South 24 Parganas (hereinafter referred to as “said school”) being respondent nos. 7 to 9 are not represented today.
- 3) Petitioner made transfer application in prescribed format on 24th February, 2025 since son of the petitioner is suffering from heart disease. It is submitted on behalf of the petitioner that on receipt of transfer application said school authority has not issued “No Objection” as a result whereof subsequent steps

till date are not taken by the District Inspector of Schools (SE), South 24 Parganas being respondent no. 6.

4) Since it is submitted that son of the petitioner is suffering from heart disease, said school authorities being respondent nos. 7 to 9 are directed to issue "No Objection" for transfer of the petitioner by making necessary endorsement on the transfer application of the petitioner which has been made in prescribed format, by fortnight from date of communication of this order and forward the same within said time to respondent no.6. 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 son of the petitioner by three weeks thereafter. In the medical report Chief Medical Officer of Health/ Medical Board is required to opine whether son of the petitioner requires constant care and supervision or not. If medical report justifies transfer of the petitioner, respondent no. 6 shall forward transfer application of the petitioner along with medical report to the Chairman, West Bengal Central School Service Commission being respondent no. 3 by fortnight thereafter. On receipt of

transfer application and medical report, respondent no. 3 shall decide the transfer application in accordance with law by six weeks thereafter. Decision to be taken by respondent no. 3 shall be communicated to the petitioner by fortnight thereafter.

5) Writ petition stands disposed of, without any order as to costs.

6) However, transfer application of the petitioner shall not be rejected on the ground of suspension of Utshasree portal.

7) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)