

W.P.A. 10562 OF 2025

Dhrubabrata Kadia
Vs.
The State of West Bengal & Others

Mr. Sudipta Dasgupta, Adv.
Mr. Sandip Sutradhar, Adv.

...for the Petitioner

Mr. Bhaskar Prasad Vaisya, AGP
Mr. Ranjan Saha, Adv.

...for the State

Mr. Sourav Mitra, Adv.

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

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

Matter relates to transfer of the petitioner on
medical ground since wife of the petitioner is suffering
from gynaecological disorder. Petitioner made an
application for transfer on 21st September, 2022 and
same was forwarded by the school authority where
petitioner is presently working to the District Inspector
of Schools (S.E.), Murshidabad being respondent no.5
for taking steps. Petitioner prays for consideration of his
transfer application.

Prayer of the petitioner is opposed by the
learned advocates representing the State respondents
and West Bengal Central School Service Commission
since wife of the petitioner was medically examined
prior to 29th November, 2022 when transfer application
of the petitioner was forwarded to the West Bengal
Central School Service Commission and it is contended
that in the meantime, near about two and half years

have passed and health condition of wife of the petitioner may have improved due to constant treatment and care.

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 wife of the petitioner by four (4) weeks from the date of communication of this order. In the medical report considering health condition of wife of the petitioner, the concerned CMOH/ Medical Board is required to opine whether constant care and supervision by the petitioner is necessary or not. If medical report justifies transfer of the petitioner, respondent no.5 shall forward the transfer application along with medical report to the Secretary, 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 same, in accordance with law, by six (6) weeks thereafter and decision to be taken by the respondent no.3 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.)