

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. 13009 OF 2025

**Margaret Hasda @ Hansda
Vs.
The State of West Bengal & Others**

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

...for the Petitioner

Mr. Santi Ranjan Das, Adv.
Mr. Herum Al Rashid, Adv.

...for the State

Md. Sarwar Jahan, Adv.
Sk. Nayeemul Hoque, Adv.

...for D.P.S.C., Murshidabad

1. Affidavit-of-service filed on behalf of the petitioner has been taken on record.
2. Petitioner has made an application for transfer on 26th May, 2025 from one primary school to another in Murshidabad before the Chairman, District Primary School Council, Murshidabad through Sub-Inspector of Schools, Dhuliyani Circle, Murshidabad.
3. It is submitted by the learned advocate representing the petitioner that application for transfer dated 26th May, 2025 was received by the concerned Sub-Inspector of Schools being respondent no.5 on 27th May, 2025 and in support of same, tracking report of the Postal Department is placed before this Court and same is taken on record.

4. It is also submitted that transfer application was made since petitioner is suffering from gynaecological disorder and petitioner has completed five years of service as confirmed Primary Teacher.
5. State respondents and District Primary School Council, Murshidabad are represented by learned advocates.
6. In view of the case made out in this writ petition, Sub-Inspector Schools, Dhuliyan Circle, Murshidabad being respondent no.5 is directed to forward the transfer application of the petitioner to the Chairman, District Primary School Council, Murshidabad being respondent no.4 by fortnight from the date of communication of this order. After receipt of transfer application respondent no.4 shall obtain medical report from the concerned Chief Medical Officer of Health/ Medical Board by four (4) weeks thereafter on medical examination of the petitioner. CMOH/ Medical Board is required to opine in the medical report whether nature of ailment of the petitioner is such which requires petitioner to avoid long distance journey or not. If medical report justifies transfer of the petitioner, respondent no.4 shall decide the transfer application of the petitioner after taking note of the medical report by four (4) weeks thereafter and

the decision to be taken shall be communicated to the petitioner by fortnight thereafter.

7. It is made clear that suspension of portal shall not be a ground to reject transfer application of the petitioner.
8. With the above directions, writ petition stands disposed of.
9. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)