

W.P.A. 12985 of 2025

**Tanmoy Das
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
...for the petitioner
Mr. Arjun Roy Mukherjee
Ms. Priya Ghosal
...for the State
Mr. Sourav Mitra
...for the CSSC
Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
...for the Board

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Further leave is granted to the learned advocate for the petitioner to correct the writ petition number in the first page of the affidavit of service filed today.
3. In spite of repeated service of notice authority of Jangipur High School, Murshidabad (hereinafter referred to as 'said school') being respondent no. 6 is not represented.
4. In terms of order dated 3rd July, 2025 report is filed by the District Inspector of Schools (SE) Murshidabad dated 13th August, 2025 today and same is taken on record.
5. On perusal of report dated 13th August, 2025 it appears that said school authority has decided

not to issue 'no objection' in favour of the petitioner based on transfer application dated 26th April, 2025 which was made in offline mode since Utsashree Portal is suspended.

6. It further emanates from the said report after the portal becomes operational steps to be taken for issuing 'no objection' in favour of the petitioner. It is also stated that the school at present has roll strength of over two thousand and there are two history teachers including the petitioner. If petitioner is allowed to take transfer school will suffer.
7. Two reasons assigned by the said school authority for not issuing 'no objection' appears to be contradictory.
8. It is stated that since portal is suspended 'no objection' is not being issued and in same breath it is also stated that due to robust roll strength of the said school and there are two history teachers including petitioner 'no objection' is not being given.
9. Furthermore, it needs to be taken into consideration the transfer application was made by the petitioner since wife of the petitioner is suffering from Thalassaemia. In case of application for transfer on medical ground roll strength of the said school ought not to create

impediment in issuing 'no objection' in favour of the applicant-teacher.

10. Furthermore, this Court and Hon'ble Division Bench have held that suspension of portal should also not be treated as an impediment in transferring the petitioner as statutory rules relating to transfer confer right upon the applicant-teacher to get transferred, if other conditions are fulfilled.
11. Hence, Headmaster of Jangipur High School, Murshidabad being respondent no. 6 is directed to issue 'no objection' in offline mode in favour of the petitioner by fortnight from the date of communication of this order and within the aforesaid time transfer application shall be forwarded by the respondent no. 6 to the District Inspector of Schools (SE) Murshidabad being respondent no. 5. On receipt of transfer application respondent no. 5 shall obtain medical report from concerned Chief Medical Officer of Health/Medical Board by 3 (three) weeks thereafter on medical examination of wife of the petitioner.
12. If medical report justifies transfer of the petitioner, transfer application along with medical report shall be forwarded to the Chairman, West Bengal Central School Service Commission being

respondent no. 4 by fortnight thereafter. On receipt of transfer application respondent no. 4 shall decide same in accordance with law by 4 (four) weeks thereafter.

13. The decision to be taken by respondent no. 4 shall be communicated to the petitioner by fortnight thereafter.
14. It is made clear that entire process is to be completed in offline mode and suspension of portal shall not be a ground to reject transfer application.
15. Writ petition stands disposed of.
16. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)