

06.08.2025
Court No. 18
Item No. 14
(Suvendu)

WPA 14021 of 2025

Biplob Kanti Sarkar
-Versus-

The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mondal
.....for the petitioner

Mr. Sunit Kumar Roy
.....for the WBCSSC

Mr. S.S. Arefin
Ms. Susmita Mukherjee
.....for the State

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

2) Petitioner being an Assistant Teacher made application for transfer since he is suffering from Laryngeal Carcinoma. Relying on a document dated 3rd April, 2025 which is at page 26 of the writ petition, it is submitted that at present petitioner is under treatment in Tata Medical Center, Kolkata. It is contended that in prescribed format transfer application was made on 8th May, 2025 and school authority where petitioner is working issued 'no objection' on 9th May, 2025 but the District Inspector of Schools (SE), Hooghly being respondent no. 5 till date

has not forwarded the transfer application to West Bengal Central School Service Commission (for short, "Commission") for taking decision on the plea that portal is suspended.

3) State respondents and the Commission are represented by learned advocates.

4) Having found that petitioner is suffering from Cancer as it is evident from medical document enclosed to this writ petition, respondent no. 5 is directed to obtain medical report from the concerned Chief Medical Officer of Health/ Medical Board on medical examination of the petitioner by fortnight from date of communication of this order. If medical report justifies transfer of the petitioner, respondent no. 5 shall forward transfer application of the petitioner along with medical report to the Chairman of the Commission being respondent no. 3 by seven days thereafter. On receipt of transfer application and medical report, respondent no. 3 shall decide the transfer application by fortnight thereafter as a special case. Decision to be taken by respondent no. 3 shall be communicated to the petitioner by seven days 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 and entire process shall be completed on off-line mode.

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

(Saugata Bhattacharyya, J.)