

D/L
Item No. 20
13.08.2025
KOLE
265704

WPA 15015 of 2025

Rajesh Mandal
-Vs.-
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. S. Mitra,
Ms. P. Biswas,

...for the petitioner.

Mr. Ashim Kr. Ganguli,
Ms. C. Mukherjee,

.... For the State.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta,

.... For the WBBSE.

Mr. S. Kr. Roy,

...for the SSC.

1. Affidavit of service filed on behalf of the petitioner be kept with the records.
2. The petitioner applied for transfer since the wife of the petitioner was suffering from gynecological disorder. Application was made on 19th August, 2022 on Utsashree portal. However, it appears from a document at page 25 of the writ petition that the wife of the petitioner was medically examined in the year 2022 and it has been submitted on behalf of the respondents that nearly three years have passed in the meantime. Health condition of the wife of the petitioner may have improved.
3. Learned Advocate representing the petitioner submits that the wife of the petitioner may be medically examined again before processing the transfer application of the petitioner.

4. Having considered the submissions made on behalf of the parties, the District Inspector of Schools (SE), Murshidabad, being the respondent no. 5 is directed to obtain medical report afresh on medical examination of the wife of petitioner from the concerned Chief Medical Officer of Health or Medical Board by four weeks from the date of communication of this order. In the medical report, the CMOH/Medical Board is required to opine considering present health condition of the wife of the petitioner whether she requires constant care and supervision or not. If the medical report justifies transfer of the petitioner, the respondent no. 5 shall forward transfer application along with medical report to the Chairman, West Bengal Central School Service Commission, being respondent no. 4 by fortnight thereafter. On receipt of transfer application, the respondent no. 4 shall decide the same in accordance with law by six weeks thereafter. The decision to be taken by the respondent no. 4 shall be communicated to the petitioner by fortnight thereafter.

5. It is made clear that suspension of portal shall not be a ground to reject transfer application of the petitioner.

6. With the aforesaid observations, WPA No. 15015 of 2025 stands disposed of.

7. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Saugata Bhattacharyya, J.)