

28.08.2025
Court No. 18
Item No. 14
(Suvendu)

WPA 17067 of 2025

Bapi Sarkar
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
.....for the petitioner

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
.....for the WBBSE

Mr. Joydip Banerjee
Ms. Kakali Pal
....for the State

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

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

2. Petitioner made an application for transfer on Utshasree portal on 29th July, 2022 since wife of the petitioner was suffering from Gynecological disorder. It is submitted that wife of the petitioner was medically examined in August-September, 2022 and if it is found necessary wife may be re-examined by the medical expert to ascertain her present health condition.

3. Learned advocates representing respondents have jointly submitted that since wife of the petitioner was medically examined three years back, by this time health condition of

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

4. Having considered the respective submissions made on behalf of the parties, District Inspector of Schools (SE), Murshidabad being respondent no. 5 is directed to obtain medical report from the concerned Chief Medical Officer of Health/ medical board by four weeks from date of communication of this order on medical examination of wife of the petitioner. In the medical report Chief Medical Officer of Health/ medical board is required to opine considering present health condition of wife of the petitioner whether she requires constant care and treatment or not. If medical report justifies transfer of the petitioner, transfer application along with medical report shall be forwarded to the concerned authority of West Bengal Central School Service Commission for taking decision, by fortnight thereafter. In the event transfer application and medical report are forwarded to the Commission, Secretary of West Bengal Central School Service Commission being respondent no. 4 is directed to decide transfer application in accordance with law by four weeks thereafter. Decision to be taken by respondent no. 4 shall be communicated to the petitioner by fortnight thereafter.

5. However, transfer application of the petitioner shall not be rejected on the ground of suspension of Utshasree portal.

6. Writ petition stands disposed of.

7. There shall be, however, no order as to costs.

8. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Saugata Bhattacharyya, J.)