

04.09.2025
Court No. 18
Item No.29
(Suvendu)

WPA 17722 of 2025

Debasis Mangal
-Versus-

The State of West Bengal & Ors.

Mr. Saibal Acharya
Mr. Monoranjan Jana
Mr. Mitali Jana
.....for the petitioner

Mr. Biswarup Biswas
Mr. Dipankar Dasgupta
.....for the State

Mr. Kanak Kiran Bandopadhyay
.....for the WBCSSC

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Matter relates to transfer of the petitioner on medical ground. Transfer application was made in prescribed format and authority of Shyampur Basuli Vidyabhaban (HS), Purba Medinipur (hereinafter referred to as “said school”) being respondent no. 9 issued ‘no objection’ considering transfer application of the petitioner dated 1st June, 2024.
3. However, learned advocate representing the petitioner submits that petitioner is not made known whether transfer application was forwarded by said school authority to the District

Inspector of Schools (SE), Purba Medinipur being respondent no. 7 or not.

4. Learned advocate representing State respondents in reference to a memo dated 27th February, 2025 issued by the Commissioner of School Education submits that Commissioner has no role in transfer of the applicant-teacher on medical ground. Copy of the memo dated 27th February, 2025 issued by the Commissioner of School Education is placed before this Court and same is taken on record.

5. Having considered the submissions made on behalf of the parties, authority of said school being respondent no. 9 is directed to forward transfer application of the petitioner dated 1st June, 2024 to respondent no. 7 by fortnight from date of communication of this order, if same is not forwarded till date. On receipt of transfer application, respondent no. 7 shall obtain report from the concerned Chief Medical Officer of Health/ Medical Board by fortnight thereafter on medical examination of the petitioner. In the medical report concerned Chief Medical Officer of Health/ Medical Board is required to opine considering present health condition of the petitioner whether petitioner is required to avoid long distance journey or not. If medical report

justifies transfer of the petitioner, transfer application along with medical report shall be forwarded to the Secretary of West Bengal Central School Service Commission being respondent no. 6 by fortnight thereafter. On receipt of transfer application and medical report, respondent no. 6 shall decide the same in accordance with law by four weeks thereafter. Decision to be taken by respondent no. 6 shall be communicated to the petitioner by fortnight thereafter.

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

7. Writ petition stands disposed of.

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

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

(Saugata Bhattacharyya, J.)