

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. 18940 OF 2025

TANAYA HALDER
VS.
THE STATE OF WEST BENGAL & OTHERS

Mr. Shuvro Prokash Lahiri, Adv.
...for the Petitioner

Mr. Saibal Acharya, Adv.
Mr. Subhendu Sengupta, Adv.
...for the State

Mr. Kanak Kiran Bandyopadhyay, Adv.
...for the W.B.C.S.S.C.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner made an application for transfer on medical ground on Utsashree portal on 28th August, 2022 and same was forwarded by the school authority where petitioner is presently working on 10th September, 2022 to the District Inspector of Schools (S.E.), Purba Burdwan being respondent no.5. Grievance of the petitioner is till date no steps have been taken by the respondent no.5 for processing the transfer application of the petitioner.
3. State respondents and West Bengal Central School Service Commission are represented by learned advocates who have jointly submitted that due to suspension of portal with effect from 29th September,

2022, contemporaneous decision could not be taken on transfer application of the petitioner.

4. Having considered the respective submissions made on behalf of the parties, 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 four (4) weeks from the date of communication of this order. In the medical report CMOH/ 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, West Bengal Central School Service Commission by fortnight thereafter.
5. On receipt of transfer application along with medical report, Secretary of the Commission shall decide the transfer application, in accordance with law by four (4) weeks thereafter and the decision to be taken shall be communicated to the petitioner by ten (10) days thereafter.
6. It is made clear that suspension of portal shall not be a ground to reject transfer application of the petitioner.

7. Leave is granted to the learned advocate representing the petitioner to amend the cause title of this writ petition and add Secretary, West Bengal Central School Service Commission as additional respondent in course of this day. However, service of notice upon the additional respondent stands dispensed with since Commission is represented today by learned advocate.
8. With the above directions writ petition stands disposed of.
9. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)