

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

23
rkd 18.09.2025
Ct.18
DO

W.P.A. 19741 of 2025

Kabita Naskar Mondal

-vs-

The State of West Bengal & Ors.

Mr. Ujjal Ray,
Mr. Atreya Chakraborty

....for the petitioner.

Mr. Bhaskar Prasad Vaisya,
Mr. Suman Dey

....for the State.

Mr. Sourav Mitra

....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 portal on 8th April, 2022 since petitioner was suffering from gynecological disorder.
3. Transfer application of the petitioner was forwarded to the concerned District Inspector of Schools (SE) on 29th April, 2022 for taking further steps.
4. However, it is submitted by the learned advocate representing the petitioner that after preferring transfer application in April, 2022 three years have passed in the meantime and petitioner is willing to be medically examined again for ascertaining her

present health condition.

5. Respondent authorities are represented by learned advocates who have submitted that after preferring transfer application three years have passed. Due to constant treatment and care health condition of the petitioner may have improved.
6. Having considered the submissions made on behalf of the parties, District Inspector of Schools (SE), South 24 Parganas being respondent no.5 is directed to obtain medical report on medical examination of the petitioner from the concerned Chief Medical Officer of Health/Medical Board by four weeks from the date of communication of this order.
7. In the medical report CMOH/Medical Board is required to opine considering the present health condition of the petitioner whether petitioner is required to avoid long distance journey or not.
8. If medical report justifies transfer of the petitioner, respondent no.5 shall forward transfer application along with medical report to the Secretary, West Bengal Central School Service Commission being respondent no.3 by fortnight thereafter.
9. On receipt of transfer application and medical report, respondent no.3 shall decide the same in accordance with law by four weeks thereafter.

10. The decision to be taken by the respondent no.3 shall be communicated to the petitioner by fortnight thereafter.
11. The writ petition stands disposed of.
12. However, it is made clear that suspension of Utsashree portal shall not be a ground for rejecting the transfer application of the petitioner.
13. There shall be no order as to costs.
14. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)