

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

22 22.09.2025
rkd Ct.18
DO

W.P.A. 20206 of 2025

Jharna Sarkar

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,
Ms. Pritha Biswas

....for the petitioner.

Safik Dewan,
Mr. Sasthi Charan Dhara

....for the State.

Mr. Kanak Kiran Bandyopadhyay

....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 March, 2022 since petitioner was suffering from gynecological disorder.
3. It is submitted that petitioner was medically examined in 2022 in connection with her transfer application dated 8th March, 2022, therefore, if it is required petitioner may be examined again by the medical expert.
4. West Bengal Central School Service Commission and State respondents are represented by learned advocates.

5. It is submitted on behalf of the respondent authorities that transfer application was made by the petitioner far back on 8th March, 2022 and in the meantime due to constant care and treatment health condition of the petitioner may have improved as three years have passed after last transfer application was made on 8th March, 2022.
6. It is also submitted on behalf of the Commission that petitioner was transferred on the ground of distance in 2019.
7. Having considered the submissions made on behalf of the parties, District Inspector of Schools (SE), Murshidabad being respondent no.5 is directed to obtain 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.
8. 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.
9. 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.4 by fortnight thereafter.

10. On receipt of transfer application and medical report, respondent no.4 shall decide the same in accordance with law by six weeks thereafter.
11. The decision to be taken by the respondent no.4 shall be communicated to the petitioner by ten days thereafter.
12. The writ petition stands disposed of.
13. However, it is made clear that suspension of Utsashree portal shall not be a ground for rejecting the transfer application of the petitioner.
14. There shall be no order as to costs.
15. 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.)