

09 12.08.2025
SM Court No.759

WPA 24778 of 2024

**Tumpa Saha Halder
Vs
The State of West Bengal & Ors.**

Mr. Shuvro Prokash Lahiri	... for the petitioner
Mr. Arindam Chattopadhyay	
Ms. Lipika Chatterjee	... for the D.P.S.C., Nadia
Mr. Ratul Biswas	
Mr. Kaushik Chowdhury	... for the W.B.B.P.E.
Mr. Tanmay Chakraborty	
Mr. Sanjay Mukherjee	... for the State
Mr. Saibal Acharyya	
Mr. Tanweer Jamil Mandal	... for the Chairman, D.P.S.C., Purba Burdwan

Learned counsel appearing for the petitioner has made an application for transfer on the ground that the son of the petitioner is suffering from Autism Spectrum Disorder as prescribed by Dr. Shashi Goyal, M.B.B.S., MD(Psychiatry), SR-AIIMS-Kalyani, Nadia. But the application made by the petitioner has not been considered by the S.I. of the other respondent authorities till date.

Learned counsel appearing for the State submits that the application made by the petitioner will be considered by the Sub-inspector of Schools, Kalna-III Circle at an earliest though the disability of child of a teacher is not a ground for transfer in terms of relevant

transfer rules.

Heard learned counsel for the parties.

If the son of the petitioner is suffering from Autism and the Medical Board has declared the son of the petitioner has Spectrum Disorder, sub-inspector of Schools being the respondent no.7 in the instant application will send necessary documents for consideration before the concerned D.P.S.C. namely respondent no.6 in the instant application and the respondent no.6 is directed to obtain medical report from the concerned Chief Medical Officer of Health/Medical Board within six weeks from the date of communication of this order. If the medical report justifies transfer of the petitioner as of the son of the petitioner requires constant care and supervision, the respondent no.6 shall forward transfer application of the petitioner with medical report and his comment before the Secretary, West Bengal Board of Primary Education being the respondent no.4 in the instant application.

On receipt of the transfer application and the medical report as well as the comments made by the concerned D.P.S.C., the Secretary, West Bengal Board of Primary Education shall decide the transfer application treating the same as a special case within eight weeks from date. Decision to be taken by the

Secretary, West Bengal Board of Primary Education shall be communicated to the petitioner within ten days thereafter.

Writ petition stands disposed of, without any order as to costs.

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

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajarshi Bharadwaj, J.)