

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 26084 of 2025

Mithu Paul
-versus
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
...For the petitioner

Mr. Sunit Kumar Roy
... For the WBCSSC

Ms. Saswati Chatterjee
... For the WBBSE

1. Affidavit of service filed in Court is taken on record.

2. The petitioner's application for transfer on medical ground in the prescribed format was considered by the school and 'no objection certificate' issued. However, the same was not forwarded by the head of the institution to the concerned District Inspector of Schools on the ground that the Utsashree portal stood suspended.

3. Transfer being an incidence of service, the same cannot be denied on the ground of suspension of the Utsashree portal as has been held by the Hon'ble Division Bench of this Court on 5th December, 2024 in MAT 1706 of 2024 with CAN 2 of 2024 in the matter of Mithun Roy vs. The State of West Bengal & Ors.

4. In view of the above, the instant writ petition stands disposed of by directing the head of the institution to take necessary steps to forward the application of the petitioner along with the 'no objection certificate' already issued to the District Inspector of Schools (Secondary Education), Birbhum for taking further consequential steps in the matter in accordance with law at the earliest but positively within a period of four weeks from the date of communication of this order.

5. The District Inspector of Schools shall take necessary steps in the matter within a period of eight weeks from the date of receipt of all documents from the school authority.

6. The fate of the petitioner's application shall be made known to her.

7. The writ petition stands disposed of.

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

9. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Amrita Sinha, J.)