

21.01.2025
Court No. 18
Item No. 24
(Suvendu)

WPA 26730 of 2024

Mandakini Mandal
-Versus-

The State of West Bengal & Ors.

Mr. Samiran Mandal
Mr. S.C. Dhara
.....for the petitioner

Mr. Sunit Kumar Roy
.....for the WBCSSC

Mr. Tarun Kumar Ghosh
Md. Abdus Salam
.....for the State

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja
...for the WBBSE

In terms of order dated 3rd December, 2024 a report is filed by the District Inspector of Schools (SE), Bankura dated 7th January, 2025 enclosing medical reports dated 3rd September, 2021 and 1st October, 2021. Same is taken on record.

As submitted on behalf of West Bengal Central School Service Commission, from the aforesaid two medical reports it cannot be ascertained as to whether medical reports support transfer of the petitioner on medical ground. One report dated 3rd September, 2021

contains “not consider” whereas another report dated 1st October, 2021 contains “consider”.

The District Inspector of Schools (SE), Bankura being respondent no. 3 is directed to obtain medical report afresh from the Chief Medical Officer of Health, Bankura by three weeks from the date of communication of this order. The Chief Medical Officer of Health, Bankura is directed to medically verify the petitioner and considering present health condition of the petitioner shall furnish a report to the respondent no. 3 disclosing whether petitioner should avoid long journey or not. If medical report justifies transfer of the petitioner, respondent no. 3 is directed to forward transfer application of the petitioner along with medical report to the Chairman of West Bengal Central School Service Commission being respondent no.5 by fortnight thereafter. On receipt of transfer application and medical report, respondent no.5 shall decide the transfer application of the petitioner finally by four weeks thereafter. Decision to be taken by respondent no.5 shall be communicated to the petitioner by ten days thereafter.

While taking decision on transfer application of the petitioner if vacancies as indicated in the transfer application are filled up, respondent no.5 shall consider transfer of the petitioner based on other suitable available vacancies.

With the above observations and direction, writ petition stands disposed of.

There shall be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)