

W.P.A. 26868 of 2024

**Kajal Baran Chanda
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Debalina Chakraborty

...for the Petitioner

Mr. Shamim Ul Bari
Mr. Atarul Hoque Molla

...for the State

Mr. Sunit Kumar Roy

...for W.B.C.S.S.C

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja

...for W.B.B.S.E

During course of hearing a communication dated 7th February, 2025 issued by the District Inspector of Schools (S.E.), Murshidabad being respondent no.4 is placed before this Court and same is taken on record. From the said communication it appears transfer application of the petitioner on medical ground was not processed by respondent no.4 since Utsashree portal was suspended.

The issue whether suspension of portal can defer consideration of transfer application is no more *res integra* since it has been decided that statutory right to get the benefit of transfer cannot be infringed by suspension of portal.

Accordingly, respondent no.4 is directed to obtain medical report from the concerned Chief Medical Officer of Health on medical verification of the petitioner, if same has not been obtained till date, by fortnight from

the date of communication of this order. If medical report justifies transfer of the petitioner, respondent no.4 is directed to forward the transfer application along with medical report to the West Bengal Central School Service Commission by fortnight thereafter. In the event, transfer application of the petitioner is forwarded to the West Bengal Central School Service Commission, the Chairman of the Commission being respondent no.3 is directed to decide transfer application of the petitioner by four (4) weeks thereafter in accordance with law. The decision to be taken by the Chairman of the Commission shall be communicated to the petitioner by ten (10) days thereafter.

With the above directions, writ petition stands disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)