

**CALCUTTA HIGH COURT IN THE CIRCUIT BENCH
AT JALPAIGURI**

21
25.07.2025
Ct. No. 2
adeb

WPA 1578 of 2025

**Bibhash Sarkar
Vs.
The State of West Bengal & Ors.**

**Mr. Santanu Maji
Mr. Jogesh Ch. Roy**
...for the petitioner

**Mr. Amalesh Roy
Ms. Mousumi Bhowal
Mr. Nigam Mittal**
...for the DPSC, Coochbehar

**Mr. Bikramaditya Ghosh
Ms. Supriya Singh**
...for the respondent nos. 3 and 4
**Mr. Momenur Rahman
Mr. Bikash Singha**
...for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner is a primary teacher in a school in Coochbehar and has prayed for transfer on medical ground since after meeting an accident on 17th September, 2021 petitioner has been continuously suffering from several health problems relating to injury. It is also submitted that as petitioner has completed five years of confirmed service as primary teacher considering present health condition of the petitioner he may be transferred to a school which is near to his place of residence.

3. State respondents and District Primary School Council, Coochbehar are represented by learned advocates.
4. Having considered the submissions made on behalf of the parties, Chairman, District Primary School Council, Coochbehar being respondent no. 6 is directed to obtain medical report from the concerned Chief Medical Officer of Health/Medical Board on medical examination of the petitioner by 4 (four) weeks from the date of communication of this order. In the medical report Chief Medical Officer of Health/Medical Board is required to opine considering present health condition of the petitioner whether petitioner is required to avoid long distance journey or not. If medical report justifies transfer of the petitioner, respondent no. 6 shall decide the transfer application within a period of 4 (four) weeks thereafter and the decision to be communicated to the petitioner by fortnight thereafter.
5. It is made clear that suspension of portal shall not be a ground to reject transfer application of the petitioner.
6. Writ petition stands disposed of.
7. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertaking.

(Saugata Bhattacharyya, J.)