

Ct. 05
Item No.12
28.09.2021
(suvendu)

WPA 8773 OF 2021

(VIA VIDEO CONFERENCE)

Sabina Yasmin
Vs.
The State of West Bengal & Ors.

Mr. Rabi Sankar Chattopadhyay
Mr. Uday Sankar Chattopadhyay
Mr. Sayan Chattopadhyay
Mr. Santanu Maji
Ms. Smriti Das
Mr. Akash Biswas
Ms. Payel Shome

.....for the petitioner

Mr. Tapan Kumar Mukherjee
Ms. Saheli Mukherjee

.....for the State

Mr. Prosenjit Mukherjee
Mr. Nirmalaya Kumar Das
Ms. Madhurima Sarkar

.....for the Commission

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

The writ petitioner is a non-teaching staff in a
Government aided recognised Madrasah and
prayed for transfer by submitting application in
prescribed proforma on 15th March, 2011 before
the concerned respondent authorities. In addition
thereto, the writ petitioner deposited fees of Rs.
2500/-, which was required as per norms for
submitting an application for transfer.

The grievance voiced on behalf of the writ petitioner is that in spite of preferring application for transfer in the year 2011, till date the same has not been processed by the West Bengal Madrasah Service Commission. The writ petitioner prays for necessary steps to be taken on the basis of the application of the writ petitioner for transfer dated 15th March, 2011, at page 20 of the writ petition.

Mr. Prosenjit Mukherjee, learned advocate representing the West Bengal Madrasah Service Commission submits that meanwhile the petitioner has already made an online application before the Commission seeking transfer. It has also been submitted that since the said application is pending before the Commission, necessary steps will be taken in accordance with law.

Considering the rival submissions made on behalf of the respective parties, this Court directs the concerned authorities of the West Bengal Madrasah Service commission to process the application of the writ petitioner for transfer which has been made online in accordance with law and if it is found that the writ petitioner is eligible to be transferred, necessary transfer order to be passed in favour of the writ petitioner. The Commission is further directed to adjust the sum, which was

deposited by the writ petitioner on 11th March, 2011 while submitting her first transfer application in the year 2011, while processing the online application of the writ petitioner.

Accordingly, the writ petition stands disposed of without any order as to costs.

All parties to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

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

(Saugata Bhattacharyya, J.)