

WPA 11391 OF 2022

Amit Sarkar

Vs.

The State of West Bengal & Ors.

Mr. Ujjal Ray

.... For the Petitioner

Mr. Shamim ul Bari

.... For the State

Dr. Sutanu Kr. Patra

Ms. Supriya Dubey.

.... For the WBCSSC

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

Mr. Ujjal Ray, learned counsel appeared for the petitioner.

Mr. Shamim ul Bari, learned counsel appeared for the State.

Dr. Sutanu Kumar Patra, learned counsel appeared for the West Bengal Central School Service Commission.

The petitioner at present is working at the respondent no.7. He applied for transfer on August 20, 2021, which was admittedly prior to the decision for suspension of the Utsashree Portal. Therefore, the suspension of the Utsashree Portal shall not affect the case of the petitioner.

Mr. Ujjal Ray, learned counsel for the petitioner referring to page 24 to the writ petition submitted that, after travelling at the office of the jurisdictional District Inspector of Schools, the application of the petitioner had

reached at the office of the respondent no.3. He submitted that, thereafter the application of the petitioner had not received any attention of the State authority.

In view of the above, to subserve justice, the respondent no.2 shall decide the issue with a reasoned order and come to its reasonable conclusion strictly in accordance with law positively within a period of four weeks from the date of communication of this order and shall communicate the reasoned order to the petitioner within a further period of one week from the date of the said reasoned order to be passed.

It is made clear that, this order shall not create any equity or right in favour of the petitioner if the petitioner is not eligible to receive the claim for transfer strictly in accordance with law.

The respondent no.2 in the event feels that, any document and record is necessary to be produced by the petitioner or any assistance is required from the petitioner, the respondent no.2 shall be at liberty to ask for the same from the petitioner and that, the petitioner shall cooperate with the respondent no.2 in every respect.

Since affidavits are not called for, the allegations in this writ petition are deemed not to have been admitted by the respondents.

Since the Utsashree Portal has been suspended, the entire exercise as directed above, shall have to be concluded off-line.

In view of the above, this writ petition, **WPA 11391 of 2022** stands disposed of without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)