

05.09.2024
Sl. No. M/L.130
g.b.
Court No.18

W.P.A. 2463 of 2023

Srabani Nath
-Vs-
The State of W. B. & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Mr. Afrin Nahar Mondal
... for the petitioner
Mr. Malay Krishna De
Mr. M. M. Rahaman
.....For the State
Mr. Sourav Mitra
.....For the WBCSSC
Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
.....For the WBBSE

Affidavit of service filed on behalf of the petitioner is taken on record.

Matter relates to general transfer of the petitioner on the ground of distance in between the present school and her place of residence.

The learned advocate for the petitioner submits that the last transfer application was made on Utsashree Portal on 23rd July, 2022 and the same was processed by the school authority where the petitioner is presently serving and thereafter was forwarded to the concerned District Inspector of Schools (S.E.) for taking necessary steps. The District Inspector of Schools (S.E.) in his turn took steps and forwarded the transfer application of the petitioner through portal on 29th July, 2022 to the West Bengal Central School Service Commission.

The grievance of the petitioner is in spite of receipt of the transfer application far back on 29th July, 2022 through portal, the Commission has not decided the said

transfer application. The petitioner prays for direction upon the Commission to decide her transfer application.

Respondents are represented by learned advocates. It has been submitted by the learned advocate representing the Commission that due to suspension of Utsashree Portal with effect from 29th September, 2022 contemporaneous decision could not be taken on the transfer of the petitioner. However, it is submitted that if direction is given upon the Commission the transfer application shall be decided.

Having considered the submissions made on behalf of the parties, writ petition stands disposed of directing the Chairman, West Bengal Central School Service Commission to decide the transfer application of the petitioner in accordance with law by eight weeks from the date of communication of this order and the decision to be communicated to the petitioner by one week thereafter.

It is made clear that suspension of Utsashree Portal shall not be a ground for rejecting the transfer application of the petitioner.

There shall be no order as to costs.

Urgent xerox certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Saugata Bhattacharyya, J.)