

Ml- 31.07.2024
420 Ct.18
rkd

W.P.A. 3561 of 2023

Sanjukta Chakraborty

-vs-

The State of West Bengal & Ors.

Mr. Ujjal Ray

....for the petitioner.

Ms. Munmun Tewary,
Ms. Sancheyita De

....for the State.

Mr. Sourav Mitra

....for the WBCSSC.

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

Matter relates to transfer of the petitioner
on medical ground since the child of the petitioner
is suffering from autism.

The learned advocate representing the
petitioner submits that after preferring application
seeking transfer on medical ground on 7th
September, 2022 the school authority where
petitioner is serving has forwarded the transfer
application of the petitioner to the concerned
District Inspector of Schools on compliance of
necessary formalities.

The District Inspector of Schools in its turn
had taken all necessary steps and also obtained
report on medical verification from the CMOH

which according to the petitioner comes in favour of transfer of the petitioner. Ultimately the District Inspector of Schools forwarded the transfer application of the petitioner along with necessary documents to the office of the West Bengal Central School Service Commission on 18th October, 2022 for taking final decision.

Petitioner prays for direction upon the concerned authority of the Commission to take decision on the transfer application of the petitioner.

Respondents are represented by learned advocates who have jointly submitted that perhaps due to suspension of Utsashree portal with effect from 29th September, 2022 contemporaneous decision on the transfer application of the petitioner could not be taken by the concerned authority of Commission.

However, the learned advocate representing the Commission submits that if direction is given upon the Commission the transfer application of the petition shall be decided in accordance with law.

Having considered submissions made on behalf of the parties, the writ petition stands disposed of directing the Chairman, West Bengal

Central School Service Commission being respondent no.2 to decide the transfer application of the petitioner by four weeks from the date of communication of this order in accordance with law.

The decision to be taken by the Chairman shall be communicated to the petitioner by one week thereafter.

However, 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 photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)