

02.08.2024
Court No. 18
Item No. 472 (ML)
(Suvendu)

WPA 6355 of 2023

Sanjit Sarkar
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
.....for the petitioner

Mr. Dwarika Nath Mukherjee
Mr. Manik Lal 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 petitioner on
medical ground due to ailment of petitioner's
wife. Petitioner is an Assistant Teacher of a
Government aided school. It is submitted on
behalf of the petitioner that application for
transfer on medical ground was made on 12th
April, 2022 before the school authority where
petitioner is serving and after processing the
transfer application of the petitioner the
concerned school authority forwarded the same

to the concerned District Inspector of Schools. The concerned District Inspector of Schools after completing the formalities and obtaining report from the Chief Medical Officer of Health forwarded the transfer application along with necessary documents to the office of the West Bengal Central School Service Commission on 11th May, 2022 for taking final decision. According to the petitioner, till date such transfer application has not been decided by the concerned authority of the Commission.

Learned advocates representing the respondents have jointly submitted that contemporaneously decision on transfer application of the petitioner could not be taken due to suspension of Utshasree portal with effect from 29th September, 2022.

However, it has been submitted on behalf of the Commission that if direction is given upon the appropriate authority, transfer application of the petitioner shall be decided in accordance with law.

In view of submissions made on behalf of the parties, the writ petition stands disposed of by directing Chairman, West Bengal Central School Service Commission, being the

respondent no. 3 to take decision on transfer application of the petitioner by four weeks from date of communication of this order in accordance with law and the decision to be taken by the respondent no. 3 shall be communicated to the petitioner by one week thereafter.

However, transfer application of the petitioner shall not be rejected on the ground of suspension of Utshasree portal.

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)