

02.08.2024
Court No. 18
Item No. 473 (ML)
(Suvendu)

WPA 6362 of 2023

Indranil Mandal
-Versus-
The State of West Bengal & Ors.

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

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
the ground of distance from school where
petitioner is serving to his residence. Petitioner
is an approved Group –D staff of a Government
aided school. It is submitted on behalf of the
petitioner that application for transfer was made
on 13th September, 2022 before the concerned
school authority and after processing the
transfer application of the petitioner the school
authority forwarded the same to the concerned
District Inspector of Schools. The concerned
District Inspector of Schools in his turn after

completing the formalities forwarded the transfer application to the office of the West Bengal Central School Service Commission on 29th September, 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 advocate representing the Commission has 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.)