

14.08.2024
Court No. 18
Item No.130 (ML)
(Suvendu)

WPA 8264 of 2023

Durba Sarkar
-Versus-

The State of West Bengal & Ors.

Mr. Anindya Bose
Mr. Santanu Maji
Mr. Mridul Biswas
.....for the petitioner

Ms. Iti Dutta
.....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 the ground of distance in between present
school and place of residence of petitioner.

The learned advocate representing the
petitioner submits that after preferring the
transfer application on 5^h April, 2022 the same
was processed by the school authority where
petitioner is presently serving and thereafter by
the District Inspector of Schools (SE), North 24
Parganas. Subsequently the concerned District
Inspector of Schools forwarded the transfer
application to the West Bengal Central School

Service Commission on 13th June, 2022 for taking final decision. It is submitted that in spite of receiving transfer application far back on 13th June, 2022 till date said transfer application has not been decided.

Learned advocates representing the respondents jointly submit that perhaps due to suspension of Utshasree portal contemporaneous decision could not be taken on the transfer application of the petitioner.

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

Having considered the submissions made on behalf of the parties, writ petition stands disposed of directing the Chairman of the West Bengal Central School Service Commission being respondent no.3 to decide transfer application of petitioner in accordance with law by four weeks from the date of communication of this order and the decision to be taken by the Commission shall be communicated to the petitioner by one week thereafter.

It is made clear that transfer application of the petitioner shall not be rejected due to 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.)