

ML 142
20.08.2024
Ct. No. 18
adeb

W.P.A. 9113 of 2023

**Asim Biswas
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Afrin Nahar Mondal
...for the petitioner

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
...for the WBBSE

Mr. Sunit Kr. Roy
...for the SSC

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

Matter relates to transfer of the petitioner being an assistant teacher on medical ground. The learned advocate for the petitioner submits that an application for transfer on medical ground was preferred by the petitioner on the Portal on 2nd September, 2022 and the same was processed by the school authority where petitioner is serving and thereafter forwarded to the office of the concerned District Inspector of Schools (SE). The District Inspector of Schools (SE) in his turn has forwarded the transfer application of the petitioner to the West Bengal Central School Service Commission on 20th December, 2022.

The grievance of the petitioner is in spite of receipt of transfer application of the petitioner by the

Commission through Portal on 20th December, 2022 till date no decision has been taken on the said transfer application.

Learned advocate representing the Commission submits that due to suspension of Utsashree Portal contemporaneous decision could not be taken based on the transfer application of the petitioner. However, if necessary direction is passed upon the Chairman of the Commission the 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 the transfer application of the petitioner by 4 (four) weeks from the date of communication of this order and the same shall be communicated to the petitioner by 1 (one) week thereafter.

It is made clear that transfer application of the petitioner shall not be rejected on the ground of suspension of Utsashree Portal.

There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)