

20.08.2024
Item No.155
Court No.18.
S. De

W.P.A. 9360 of 2023

Rumpa Bhakta Guchait.
Vs.
The State of West Bengal & Ors.

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

Mr. Ranjana Saha,
Mrs. Sukanya Datta,
...for the State respondents.

Mr. Sutanu Kr. Patra,
Ms. Supriya Dubey,
...for the WBCSSC.

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

Affidavit-of-service filed in Court is taken on record.

The matter relates to transfer of the petitioner being an Assistant Teacher working in a government aided school on medical ground.

The learned advocate for the petitioner submits that the petitioner preferred transfer application on medical ground on the designated portal on 14th September, 2022. According to the petitioner, the transfer application was processed by the school authority where the petitioner is presently serving and the same was forwarded to the concerned District Inspector of Schools (SE) for taking necessary steps. It

is further submitted on behalf of the petitioner that the District Inspector of Schools (SE), in his turn, has forwarded the transfer application to the office of the West Bengal Central School Service Commission on 20th December, 2022 for taking final decision. The grievance of the petitioner is, in spite of receipt of transfer application far back on 20th December, 2022, through portal, the Commission has not taken any decision.

The respondents are represented by learned advocates who have submitted that due to suspension of Utashree Portal, contemporaneous decision could not be taken on the transfer application of the petitioner. However, on behalf of the Commission, it is submitted that if the Chairman of the Commission is directed, appropriate steps shall be taken on the transfer application of the petitioner.

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

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

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis, on compliance of all formalities.

(Saugata Bhattacharyya, J.)