

21.08.2024
Ct. No. 18
Sl. No. 175
tbsr

WPA 10392 of 2023

**Soma Debnath Majumder
Vs.
The State of West Bengal & Ors.**

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

Mr. Pradip Kumar Mondal
....for the State

Ms. Koyeli Bhattacharyya
....for WBBSE

Mr. Sourav Mitra
....for Central School Service Commission

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

Matter relates to transfer of the petitioner on
medical ground.

The learned advocate for the petitioner submits
that an application seeking transfer on medical ground
was preferred on 16th July, 2022 on designated portal
and the said application was first processed by the
school authority and the same was forwarded to the
concerned District Inspector of Schools (SE). The
concerned District Inspector of Schools (SE) in his turn
took steps and forwarded the transfer application of the
petitioner on 21st September, 2022 to the West Bengal

Central School Service Commission for taking final decision. The grievance of the petitioner is in spite of receipt of transfer application through portal far back on 21st September, 2022 no decision has yet been taken by the Commission.

The respondents are represented by learned advocates who have submitted jointly that contemporaneous decision perhaps could not be taken due to suspension of Utsashree portal with effect from 29th September, 2022. However, it is submitted on behalf of the Commission that if appropriate authority is directed, transfer application of the petitioner shall be decided in accordance with law.

Having considered the submissions made on behalf of the parties, the writ petition stands disposed of directing the Chairman, West Bengal Central School Service 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 by the respondent no. 3 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 Utsashree portal.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon compliance with the necessary formalities.

(Saugata Bhattacharyya, J.)