

19.09.2024
Court No. 18
Item No. 191 (ML)
(Suvendu)

WPA 14042 of 2023

Debjani Roy
-Versus-

The State of West Bengal & Ors.

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

Mr. Sourav Mitra
.....for the WBCSSC

Ms. Rama Halder
Mr. Sujit Chatterjee
.....for the State

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

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

Matter relates to transfer of petitioner
since petitioner is suffering from ailment.

Grievance of the petitioner is in spite of
making application for transfer on 30th July,
2022 on Utshasree portal and same was
forwarded by the District Inspector of Schools
(SE), North 24 Parganas on 19th September,
2022 after doing necessary formalities and
obtaining medical report from the concerned
Chief Medical Officer of Health to West Bengal
Central School Service Commission, till date

concerned authority of the Commission has not taken any decision on the transfer application.

Learned advocates representing the respondents have jointly 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 the Chairman, West Bengal Central School Service Commission being respondent no. 3 to take decision on transfer application of the petitioner by eight weeks from date of communication of this order in accordance with law and the decision to be taken by 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.)