

09.12.2024
Court No. 18
Item No. 32
(Suvendu)

W.P.A. 16930 of 2023

Ananda Bakshi
-Versus-

The State of West Bengal & Ors.

Mr. Subrata Karmakar
...for the petitioner

Mr. Vivekananda Tripathi
Mr. Subrata Bhattacharjee
.....for the State respondents

Ms. Supriya Dubey
....for the WBCSSC

Mr. Kunal Ganguly
....for the WBBSE

Report in the form of affidavit, affirmed on
28th November, 2024 by the Additional District
Inspector of Schools (SE), South 24 Parganas, is
filed today and same is taken on record.

On perusal of the said report, it appears
that petitioner being Headmaster of
Ramchandrakhalī Narendra Sikshaniketan,
South 24 Parganas applied for transfer on
Utsashree portal on 23rd July, 2022 which was
forwarded by the said school authority to the
District Inspector of Schools (SE), South 24

Parganas, being respondent no. 3 for taking further steps.

It is submitted on behalf of the petitioner that his son is suffering from Cancer. Based on application for transfer on medical ground, petitioner's son was medically examined by the Chief Medical Officer of Health, South 24 Parganas and a medical report was furnished to the District Inspector of Schools (SE), South 24 Parganas. Medical report dated 1st December, 2022 is annexed to the report filed on behalf of the concerned District Inspector of Schools wherefrom it appears that son of the petitioner has been suffering from malignant disease. It is also stated in the said report that transfer application of the petitioner and medical report were forwarded to the concerned authority of the West Bengal Central School Service Commission on 20th December, 2022 for taking final decision.

State respondents and West Bengal Board of Secondary Education are represented by learned advocates.

However, West Bengal Central School Service Commission and its Chairman are not made parties. Leave is granted to petitioner to amend cause title of the writ petition by adding

West Bengal Central School Service Commission and its Chairman as additional respondents.

Ms. Supriya Dubey, learned advocate who is present in Court and usually appears on behalf of West Bengal Central School Service Commission, is requested to enter appearance on behalf of the Commission. Let engagement of Ms. Supriya Dubey be regularized by the concerned authority of the Commission.

As it appears from the report that transfer application along with medical report were forwarded to the Commission on 20th December, 2022, the Chairman of West Bengal Central School Service Commission being additional respondent is directed to take decision on transfer application of the petitioner in accordance with law by four weeks from the date of communication of this order. Decision to be taken by the Chairman of the Commission 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.

Writ petition is disposed of.

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.)