

26.07.2024
Court No. 18
Item No. 23
(**Suvendu**)

WPA 17994 of 2024

Biswajit Ray
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
.....for the petitioner

Ms. Koyeli Bhattacharyya
....for the WBBSE

Mr. Suman Dey
Ms. Anima Das Chakraborty
.....for the State

Mr. Sunit Kumar Ray
.....for the WBCSSC

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

The writ petition is heard in presence of
the learned advocates representing the petitioner
and respondents.

Grievance of the petitioner being an
Assistant Teacher of a Government aided school,
is failure on the part of the respondent
authorities to take decision on transfer
application of petitioner dated 6th August, 2022.

It is submitted on behalf of the petitioner that transfer application was made on special ground due to ailment of wife of the petitioner and the same was processed first by the concerned school authority where petitioner is working at present and subsequently by the concerned District Inspector of Schools and thereafter the same was forwarded to the office of the West Bengal Central School Service Commission on 29th September, 2022. According to the petitioner, till date such transfer application has not been decided by the concerned authority of the Commission.

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 Chairman, West Bengal Central School Service Commission, being the respondent no. 3 to take decision on 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.

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.)