

22 26.07.2024
rkd Ct.18

W.P.A. 17986 of 2024

Goutam Sardar

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra

....for the petitioner.

Mr. Arijit Sarkar

....for the State.

Ms. Koyeli Bhattacharyya

....for the WBBSE.

Mr. Kanak Kiran Bandyopadhyay

....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, State
respondents, Board and West Bengal Central
School Service Commission.

The grievance of the petitioner is non-
consideration of his transfer application made on
medical ground by the concerned authority of the
West Bengal Central School Service Commission.

Attention of this Court has been drawn to a
document at page 21 of the writ petition wherefrom
it appears that the application for transfer on
medical ground was made by the petitioner on 25th
November, 2022 and after processing the transfer

application of the petitioner the school where petitioner is working and subsequently the concerned District Inspector of Schools have forwarded the transfer application to higher authority.

According to the petitioner the transfer application reached the office of the West Bengal Central School Service Commission on 19th January, 2023 but thereafter no decision has been taken by the Commission.

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

In view of aforesaid 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 take decision on the transfer application of the petitioner in accordance with law by four weeks from the date of communication of

this order.

The decision to be taken by the respondent no.3 shall be communicated to the petitioner within one week thereafter.

However, 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, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)