

25.09.2024
Court No. 18
Item No. 258(ML)
(Suvendu)

WPA 17690 of 2023

Nilima Mondal
-Versus-

The State of West Bengal & Ors.

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

Mr. Sunit Kumar Roy
.....for the WBCSSC

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

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
.....for the State

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 23rd
September, 2022 on Utshasree portal and same
was forwarded by the District Inspector of
Schools (SE), Murshidabad on 29th November,
2022 to West Bengal Central School Service
Commission through portal, 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 the 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 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.)