

01.08.2024
Court No. 18
Item No. 12
(Suvendu)

WPA 18872 of 2024

Anuradha Mukherjee

-Versus-

The State of West Bengal & Ors.

Mr. Ujjal Ray

Mr. Sk. Abdur Rahim

.....for the petitioner

Mr. Ashis Kumar Paul

.....for the State

Mr. Sunit Kumar Ray

.....for the WBCSSC

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

Matter relates to transfer of petitioner on medical ground. It is submitted on behalf of the petitioner that application for transfer on medical ground was made on 14th June, 2022 before the school authority where petitioner is serving and after processing the transfer application of the petitioner the concerned school authority forwarded the same to the concerned District Inspector of Schools. The concerned District Inspector of Schools after

completing the formalities and obtaining report from the concerned Chief Medical Officer of Health forwarded the transfer application along with necessary documents to the office of the West Bengal Central School Service Commission on 18th October, 2022 for taking final decision. 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. 2 to take decision on transfer application of the petitioner by four weeks from

date of communication of this order in accordance with law and the decision to be taken by the respondent no. 2 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.)