

08.08.2024
Item No.17
Court No.18.
S. De

W.P.A. 19076 of 2024

Tarak Roy.
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,
Mr. A.N. Mondal,
...for the petitioner.

Mr. Sumit Roy,
...for the CSSC.

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

Mr. Indranil Roy,
...for the State.

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

The grievance of the petitioner is, in spite of the
transfer application of the petitioner is pending before
the West Bengal Central School Service Commission,
the said transfer application has not yet been decided
by the Commission. In this regard, reliance is placed
on a document at page 21 of the writ petition
wherefrom it appears that the concerned District
Inspector of Schools (S.E.), Purba Burdwan forwarded
the transfer application of the petitioner on medical
ground on 5th August, 2022 to the office of the

Commission and the same is pending for final decision.

The Commission and the State respondents are represented by learned advocates.

It has been submitted on behalf of the Commission that contemporaneous decision could not be taken due to suspension of the Utsashree Portal with effect from 29th September, 2022. However, it is also submitted that if direction is given upon the appropriate authority of the Commission, the transfer application of the petitioner shall be decided in accordance with law.

Having considered the submission made on behalf of the parties, the writ petition being WPA 19076 of 2024 stands disposed of directing the Chairman, West Bengal Central Schools Service Commission, being the respondent no.3 to decide the transfer application of the petitioner by four weeks from the date of communication of this order and the same shall be communicated to the petitioner by one week thereafter.

It is made clear that suspension of Utsashree Portal shall not be a ground for rejection of transfer application of the petitioner.

However, there shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis, on compliance of all formalities.

(Saugata Bhattacharyya, J.)