

12 14.08.2024
rkd Ct.18

W.P.A. 19674 of 2024

Madhumita Halder

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,
Mr. Afrin Nahar Mondal

....for the petitioner.

Mr. Kank Kiran Bandyopadhyay

....for the WBCSSC.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta

....for the WBBSE.

MR. Touseff Ahamed Khan,
Mr. Murari Chakraborty

....for the State.

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

Matter relates to transfer of the petitioner
on medical ground and in this regard an
application for transfer was made on Utsashree
portal on 19th November, 2022.

The learned advocate representing the
petitioner submits that after processing the
transfer application of the petitioner the concerned
District Inspector of Schools (SE) forwarded the
transfer application of the petitioner to the office of
the West Bengal Central School Service
Commission on 7th December, 2022 for taking final
decision.

The grievance of the petitioner is in spite of receipt of transfer application far back on 7th December, 2022 through portal till date no decision has been taken by the Commission. Petitioner prays for direction upon the Commission to decide her transfer application.

The respondents are represented by learned advocates who have jointly submitted that due to suspension of Utsashree portal with effect from 29th September, 2022 contemporaneous decision could not be taken.

However, it has been submitted on behalf of the Commission that if direction is given upon the Chairman of the Commission the transfer application of the petitioner shall be decided in accordance with law.

Having considered the 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 decide 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 by

one week thereafter.

However, it is made clear that suspension of Utsashree portal shall not be a ground for rejecting the transfer application of the petitioner.

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.)