

13.08.2024
Court No. 18
Item No.10
(Suvendu)

WPA 19598 of 2024

Chitralekha Biswas
-Versus-

The State of West Bengal & Ors.

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
Ms. Tapati Saha
.....for the petitioner

Mr. Supriyo Chattopadhyay, Ld. AGP
Mr. Arindam Ghosh
.....for the State

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

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

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

Grievance of the petitioner is non-
consideration of transfer application made by
her on 26th August, 2022 on medical ground.

The learned advocate representing the
petitioner submits that after preferring the
transfer application on medical ground on 26th
August, 2022 the same was processed by the
school authority where petitioner is presently
serving and thereafter by the concerned District
Inspector of Schools and on getting medical

report from the concerned Chief Medical Officer of Health the transfer application of the petitioner was forwarded to the West Bengal Central School Service Commission for taking final decision. In support of such submissions, documents at pages 49 to 51 of the writ petition are relied upon. It appears from those documents that on 29th September, 2022 transfer application of the petitioner was received by the Commission. It is submitted that in spite of receiving transfer application far back on 29th September, 2022 till date said transfer application has not been decided.

State respondents and West Bengal Central School Service Commission are represented by the learned advocates who have jointly submitted that perhaps due to suspension of Utshasree portal contemporaneous decision could not be taken on the transfer application of the petitioner.

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

Having considered the submissions made on behalf of the parties, writ petition stands disposed of directing the Chairman of the Commission being the respondent no. 4 to decide transfer application of petitioner in accordance with law by four weeks from the date of communication of this order and the decision to be taken by the Commission shall be communicated to the petitioner by one week thereafter.

It is made clear that transfer application of the petitioner shall not be rejected due to 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.)