

15 14.08.2024
rkd Ct.18

W.P.A. 19756 of 2024

Parthasarathi Dutta

-vs-

The State of West Bengal & Ors.

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

....for the petitioner.

Mr. Sourav Mitra

....for the WBCSSC.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta

....for the WBBSE.

Mr. Tarun Kumar Ghosh,
Ms. Nafisa Begum

....for the State.

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

Matter relates to transfer of the petitioner
on the ground of distance in between the present
school of the petitioner and his place of residence.

The learned advocate representing the
petitioner submits that transfer application of the
petitioner dated 2nd August, 2022 was processed
first by the school authority where petitioner is
serving at present and subsequently, by the
concerned District Inspector of Schools (SE) and
thereafter the same was forwarded to the office of
the West Bengal Central School Service
Commission for taking final decision.

The grievance of the petitioner is in spite of receipt of transfer application far back on 10th August, 2022 through portal till date no decision has been taken by the Commission. Petitioner prays for direction upon the Commission to decide his 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.)