

Ml- 01.10.2024  
287 Ct.18  
rkd

W.P.A. 19525 of 2023

Somnath Santikary

-vs-

The State of West Bengal & Ors.

Mr. Sakti Pada Jana,  
Ms. Sudipta Pramanik

....for the petitioner.

Mr. Sunit Kumar Roy

....for the WBCSSC.

Mr. Supriyo Chattopadhyay,  
Ms. Iti Dutta

....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.

It has been submitted by the learned  
advocate representing the petitioner that the  
application seeking transfer was made on  
Utsashree portal on 27<sup>th</sup> November, 2021 and same  
was forwarded by the school authority where  
petitioner is presently working and thereafter the  
concerned District Inspector of Schools (SE) has  
processed the transfer application of the petitioner  
on compliance of necessary formalities and  
forwarded the same to the office of the West Bengal  
Central School Service Commission for taking final

decision, through portal on 29<sup>th</sup> July, 2022.

The grievance of the petitioner is in spite of receipt of transfer application far back on 29<sup>th</sup> July, 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 29<sup>th</sup> 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.5 to decide the transfer application of the petitioner in accordance with law by eight weeks from the date of communication of this order.

The decision to be taken by the respondent

no.5 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.)**