

DL - 17
10.09.2024
Ct No. 18
S.D

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 21838 of 2024

Golam Rabbani
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
... for the petitioner.

Ms. Koyeli Bhattacharyya
Mr. Bibek Datta
...for the W.B.B.S.E.

Dr. Sutanu Kumar Patra
Ms. Debolina Chakraborty
...for the WBCSSC.

The matter relates to transfer of the petitioner being an Assistant Teacher in a government aided secondary school on medical ground.

Petitioner made an application for transfer on 27th March, 2022 and the said transfer application was forwarded by the school authority where the petitioner is presently working to the concerned District Inspector of Schools(S.E). The concerned District Inspector of Schools(S.E) in his turn has forwarded the transfer application of the petitioner to the West Bengal Central School Service Commission on compliance of necessary formalities through portal far back on 6th June, 2022.

The grievance of the petitioner is that in spite of the receipt of transfer application on 6th June, 2022, till date the same has not been decided.

West Bengal Central School Service Commission, Board and the State are represented by learned advocates who have jointly submitted that due to suspension of Utsasree Portal with effect from 29th February, 2022, contemporaneous decisions could not be taken on the transfer application of the petitioner.

However, it is also submitted on behalf of the Commission that if direction is given, the concerned authority of the Commission shall decide the transfer application of the petitioner.

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 the respondent no.3 to decide the transfer application of the petitioner in accordance with law by eight weeks from the date of the communication of this order and the decision shall be communicated to the petitioner by one week thereafter.

It is made clear that the transfer application of the petitioner shall not be rejected on the ground of suspension of Utshasree Portal.

With the above observations, the writ petition being WPA 21838 of 2024 is disposed of.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)