

11.09.2024
Court No. 18
Item No.16
(**Suvendu**)

WPA 22009 of 2024

Biplab Biswas
-Versus-

The State of West Bengal & Ors.

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

Ms. Tanuja Basak
.....for the State

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

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

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

Matter relates to transfer of petitioner on
medical ground. Petitioner is an Assistant
Teacher of a Government aided school.
Attention of this Court has been drawn to a
document which is at page 28 of this writ
petition wherefrom it appears that transfer
application of petitioner was forwarded by the
school authority where petitioner is presently

serving to the concerned District Inspector of Schools. Thereafter the concerned District Inspector of Schools on compliance of formalities forwarded the transfer application to the office of the West Bengal Central School Service Commission on 29th September, 2022 for taking final decision. According to the petitioner, till date such transfer application has not been decided by the concerned authority of the Commission.

Learned advocates representing the respondents have jointly submitted that contemporaneously decision on transfer application of the petitioner could not be taken due to suspension of Utshasree portal with effect from 29th September, 2022.

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

In view of submissions made on behalf of the parties, the writ petition stands disposed of by directing the Chairman, West Bengal Central School Service Commission, being the respondent no. 4 to take decision on transfer

application of the petitioner by eight weeks from date of communication of this order in accordance with law and the decision to be taken by the respondent no. 4 shall be communicated to the petitioner by one week thereafter.

However, transfer application of the petitioner shall not be rejected on the ground of 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.)