

17.09.2024
Court No. 18
Item No.13
(Suvendu)

WPA 22429 of 2024

Madhumita Biswas
-Versus-

The State of West Bengal & Ors.

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

Mr. Sourav Mitra
Ms. Deblina Mukherjee
.....for the State

Mr. Kanak Kiran Bandyopadhyay
.....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.

Learned advocate representing the
petitioner submits that petitioner is a divorcee,
who has applied for transfer on special ground
on Utshasree portal on 3rd May, 2022. Placing
reliance on a document at 19 of the writ petition,
it is also submitted on behalf of the petitioner
that concerned District Inspector of Schools
forwarded transfer application of the petitioner
to West Bengal Central School Service
Commission for taking final decision. Grievance
of the petitioner is in spite of receipt of transfer
application through portal by the Commission

far back on 23rd May, 2022 till date same has not been decided.

Respondents are represented by learned advocates who 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. 3 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. 3 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 and respondent

no. 3 shall also take into consideration the fact that petitioner is a divorcee who is working as an Assistant Teacher in a Government aided secondary school and seeking transfer on special ground.

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.)