

18.09.2024
Court No. 18
Item No. 35
(Suvendu)

WPA 22751 of 2024

Mamoni Patra
-Versus-

The State of West Bengal & Ors.

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

Mr. Sourav Mitra
.....for the WBCSSC

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

Mr. Susanta Pal
.....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 medical ground since petitioner is
suffering from ailment.

Grievance of the petitioner is in spite of
making application for transfer on 6th May, 2022
on Utshasree portal and same was forwarded by
the District Inspector of Schools (SE), Purulia on
18th October, 2022 after doing necessary
formalities including obtaining medical report
from the concerned Chief Medical Officer of
Health (CMOH) to West Bengal Central School
Service Commission, till date concerned

authority of the Commission has not taken any decision on the transfer application.

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. 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.

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.)