

ML 65
07.08.2024
Ct. No. 18
adeb

W.P.A. 22566 of 2022

**Samapti Dey
Vs.
The State of West Bengal & Ors.**

Md. Mokaram Hossain
Md. Naimul Ishan
...for the petitioner

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
...for the WBCSSC

Ms. Tuli Sinha
...for the State

Affidavit of service filed on behalf of the petitioner in terms of the order dated 19th July, 2024 is taken on record.

Matter relates to transfer of the petitioner being an assistant teacher in a Government aided secondary school on medical ground. Reliance is placed on a document which is at page 24A of the writ petition wherefrom it appears that on 14th March, 2022 the concerned District Inspector of Schools (SE) forwarded the transfer application of the petitioner along with medical report to the office of the West Bengal Central School Service Commission for taking decision.

The Commission is represented by learned advocate who submits that from the document at page 24A it may not be ascertained whether the CMOH furnished report justifying transfer or not. It is also

submitted that due to suspension of Utsashree Portal contemporaneously decision could not be taken on the transfer application of the petitioner.

Having considered the submissions made on behalf of the parties writ petition stands disposed of directing the Chairman, West Bengal Central School Service Commission to decide the transfer application of the petitioner by 4 (four) weeks from the date of communication of this order in accordance with law and the decision of the Chairman shall be communicated to the petitioner within 1 (one) week thereafter.

It is made clear that suspension of Utsashree Portal shall not be a ground for rejecting the transfer application of the petitioner.

Leave is granted to the petitioner to amend the cause title of this writ petition and add Chairman of the West Bengal Central School Service Commission as additional respondent in course of this day. Service of notice upon the Chairman stands dispensed with since the commission is represented by learned advocate.

There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)