

19.09.2024
Court No. 18
Item No. 21
(Suvendu)

WPA 23224 of 2024

Amiya Kumar Singha
-Versus-

The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri
Mr. Rajesh Naskar
Mr. A. Mondal
.....for the petitioner

Mr. Kanak Kiran Bandyopadhyay
.....for the WBCSSC

Learned advocate representing the petitioner undertakes to file affidavit of service in course of this day.

Matter relates to transfer of petitioner on medical ground since petitioner is suffering from ailment.

Petitioner is a Clerk in a Government aided secondary school. Grievance of the petitioner is in spite of making application for transfer on 2nd February, 2022 on Utshasree portal and same was forwarded by the District Inspector of Schools (SE), Murshidabad on 9th March, 2022 after doing necessary formalities to West Bengal Central School Service Commission, till date concerned authority of the Commission has not taken any decision on the transfer application.

Learned advocate representing the Commission has 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 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 Chairman of the Commission 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.

Since Chairman, West Bengal Central School Service Commission is not made party, leave is granted to petitioner to amend cause

title of the writ petition by adding the Chairman of the Commission as an additional respondent. However, service of notice upon the Chairman of the Commission is dispensed with since the Commission is represented by the learned advocate today.

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.)