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26.09.2024
Ct. No. 18
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W.P.A. 23418 of 2024

**Rakesh Mandal
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Afrin Nahar Mondal
Ms. Debolina Chakraborty
..for the petitioner

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

Mr. Sunit Kumar Roy
...for the WBCSSC

Mr. Sudip Sarkar
Mr. Pradip Pal @ Pradip Paul
...for the State

Learned advocate representing the petitioner undertakes to file affidavit-of-service in course of this day. However, excepting school authority other respondents are represented.

Learned advocate for petitioner appears on virtual mode.

Matter relates to transfer of the petitioner being an assistant teacher on the ground of distance in between the present school of the petitioner and his place of residence. Learned advocate representing the petitioner submits that an application for transfer was made on Utsashree Portal on 23rd September, 2022 and the same was processed by the school authority where petitioner is

presently serving and thereafter was forwarded to the concerned District Inspector of Schools (SE) for taking further steps. The District Inspector of Schools (SE) in his turn on compliance of formalities forwarded the transfer application of the petitioner to the West Bengal Central School Service Commission through portal on 11th November, 2022. The grievance of the petitioner is in spite of receipt of transfer application far back on 11th November, 2022 the said transfer application is yet to be decided.

Respondents are represented by learned advocates who have jointly submitted due to suspension of portal with effect from 29th September, 2022 contemporaneous decision could not be taken on the transfer application of the petitioner.

It has been submitted on behalf of the West Bengal Central School Service Commission that if direction is given concerned authority of the Commission shall decide the transfer application in accordance with law.

Having considered the submissions made on behalf of the parties writ petition stands disposed of directing the Chairman, West Bengal Central School Service Commission being respondent no. 3 to decide the transfer application of the petitioner by 8 (eight) weeks from the date of communication of this order and the decision shall be communicated to the petitioner by 1 (one) week thereafter.

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

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.)