

W.P.A. 23674 of 2024

Ashis Kumar Sarkar
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 SSC

Mr. Subhendu Bandopadhyay
Mr. Sajal Kumar Pandit
...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 since wife of the petitioner is suffering from gynecological disorder. Petitioner is a headmaster of a Government aided secondary school. An application for transfer on medical ground was made on Utsashree Portal on 9th February, 2022 and the school authority where petitioner is presently serving has forwarded the transfer

application of the petitioner to the concerned District Inspector of Schools (SE) for taking necessary steps. The concerned District Inspector of Schools (SE) in his turn has complied with all formalities and forwarded the transfer application through Portal to the West Bengal Central School Service Commission for taking final decision on 9th March, 2022. Grievance of the petitioner is in spite of receipt of transfer application far back on 9th March, 2022 the said transfer application is yet to be decided.

Learned advocate representing the respondents have jointly submitted that due to suspension of Portal with effect from 29th September, 2022 contemporaneous decision could not be taken on transfer application of the petitioner. However, it has been submitted on behalf of the Commission that if concerned authority of the Commission is directed transfer application shall be decided.

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 transfer application of the petitioner shall not be rejected on the ground of suspension of Portal.

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.)