

18 01.10.2024
rkd Ct.18

W.P.A. 24416 of 2024

Tamalika Sarkar

-vs-

The State of West Bengal & Ors.

Mr. Shuvro P. Lahiri,
Mr. Rajesh Naskar,
Mr. Ankan Mondal

....for the petitioner.

Mr. Sunit Kumar Roy

....for the WBCSSC.

Mr. Dipanjan Datta,
Ms. Paromita Malakar Dutta

....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 ground of distance in between the present
school of the petitioner and her place of residence.

It has been submitted by the learned
advocate representing the petitioner that the
application seeking transfer was made on
Utsashree portal on 22nd September, 2022 and
same was forwarded by the school authority where
petitioner is presently working. Thereafter the
concerned District Inspector of Schools (SE) has
processed the transfer application of the petitioner
on compliance of necessary formalities and
forwarded the same to the office of the West Bengal
Central School Service Commission for taking final

decision, through portal on 26th September, 2022.

The grievance of the petitioner is in spite of receipt of transfer application far back on 26^h September, 2022 through portal till date no decision has been taken by the Commission. Petitioner prays for direction upon the Commission to decide her transfer application.

The respondents are represented by learned advocates who have jointly submitted that due to suspension of Utsashree portal with effect from 29th September, 2022 contemporaneous decision could not be taken.

However, it has been submitted on behalf of the Commission that if direction is given upon the Chairman of the Commission the transfer application of the petitioner shall be decided in accordance with law.

Having considered the submissions made on behalf of the parties, the writ petition stands disposed of directing the Chairman, West Bengal Central School Service Commission being respondent no.4 to decide the transfer application of the petitioner in accordance with law by eight weeks from the date of communication of this order.

The decision to be taken by the respondent

no.4 shall be communicated to the petitioner by one week thereafter.

However, it is made clear that suspension of Utsashree portal shall not be a ground for rejecting the transfer application of the petitioner.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)