

03.10.2024
Court No. 18
Item No. 18
(Suvendu)

WPA 24487 of 2024

Siddhartha Das
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
.....for the petitioner

Mr. Sourav Mitra
.....for the WBCSSC

Ms. Nilanjana Banerjee Pal
.....for the State

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

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 present
school of the petitioner and petitioner's place of
residence.

Petitioner is a Clerk of a Government aided
Higher Secondary school. Grievance of the
petitioner is in spite of making application for
transfer on 23rd July, 2022 on Utshasree portal
and same was forwarded by the District
Inspector of Schools (SE), Purba Medinipur on
16th August, 2022 to West Bengal Central School
Service Commission through portal, till date

concerned authority of the Commission has not taken any decision on the transfer application.

Learned advocates representing the respondents have jointly 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, being the respondent no. 3 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 respondent no. 3 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.

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.)