

ML 84
12.08.2024
Ct. No. 18
adeb

W.P.A. 24033 of 2022

Arup Pal
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
...for the petitioner

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
...for the WBCSSC

Ms. Koyeli Bhattacharya
Mr. Bibek Dutta
...for the Board

Affidavit of service filed on behalf of the petitioner is taken on record.

Matter relates to general transfer of the petitioner on the ground of distance in between the present school of the petitioner and his place of residence.

Placing reliance on a document at page 18 of the writ petition it is submitted by the learned advocate for the petitioner that on 8th May, 2022 transfer application was made on the portal and the same was forwarded by the concerned District Inspector of Schools (SE) to the West Bengal Central School Service Commission for taking final decision. The grievance of the petitioner is in spite of receipt of transfer application through portal on 6th June, 2022 till date no decision has been taken by the Commission on petitioner's transfer application.

Respondents are represented by learned advocates.

It has been submitted on behalf of the Commission that contemporaneous decision could not be taken on the transfer application of the petitioner due to suspension of Utsashree Portal with effect from 29th September, 2022. However, it is submitted that if direction upon the concerned authority of the Commission is made decision shall be taken on transfer application of the petitioner 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. 3 to decide transfer application of the petitioner in accordance with law by 4 (four) weeks from the date of communication of this order and the decision of the respondent no. 3 shall be communicated to the petitioner by 1 (one) week thereafter.

However, it is made clear that suspension of Utsashree Portal shall not be 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.)