

Ml- 12.08.2024
86 Ct.18
rkd

W.P.A. 24182 of 2022

Kamal Chandra Mandal

-vs-

The State of West Bengal & Ors.

Mr. Sudip Sarkar,
Mr. Sukdeb Sarkar

....for the petitioner.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey

....for the WBCSSC.

Mr. Manas Kundu

....for the State.

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

Matter relates to transfer of the petitioner being an Assistant Teacher in a secondary school based on his transfer application dated 25th June, 2022 which was preferred 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 29 of the writ petition it has been submitted by the learned advocate for the petitioner that on 22nd July, 2022 transfer application of the petitioner was forwarded to the office of the West Bengal Central School Service Commission but till date no decision has been taken by the Commission. Petitioner prays for direction upon the Commission

to decide his transfer application.

State respondents and the West Bengal Central School Service Commission are represented by the Ld. advocates who have submitted 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.5 to decide the transfer application of the petitioner in accordance with law by four weeks from the date of communication of this order.

The decision to be taken by the respondent no.5 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.

Leave is granted to the petitioner to amend the cause title of the writ petition in order to give particulars of the petitioner correctly.

Let such amendment be made in course of this day.

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.)