

ML 10
02.12.2024
Ct. No. 18
adeb

W.P.A. 24952 of 2024

**Madhumita Sen
Vs.
The State of West Bengal & Ors.**

Mr. Ujjal Roy	
Mr. Abdur Rahim	...for the petitioner
Mr. Biswajit Das	...for the State
Mr. Sunit Kr. Roy	...for the SSC

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

Matter relates to transfer of the petitioner since petitioner obtained divorce on mutual consent from civil court on 5th July, 2018 and thereafter she is facing difficulty to look after her aged mother due to distance between the present school of the petitioner and place where her mother resides. It is also submitted on behalf of the petitioner that at present petitioner is residing at her paternal home with her mother.

Matter was taken up for consideration on 5th November, 2024 when no one represented Helan Saradmoni Balika Vidyalaya (H.S.) District-Hooghly being respondent nos. 6 to 8 and learned advocate representing the petitioner was directed to serve another notice upon the said school authority for their representation before this Court on the next date since it

is alleged in the writ petition that transfer application made by the petitioner on 28th November, 2022 was not forwarded by the aforesaid school authority to the concerned District Inspector of Schools (SE).

Today, matter is taken up for consideration in presence of the learned advocates representing the petitioner, State-respondents and West Bengal Central School Service Commission. However, aforesaid school authority is not represented. It is submitted on behalf of the petitioner that 'no objection' has been conveyed by the aforesaid school authority for transfer of the petitioner in connection with application made online on 28th November, 2022. In view of such submission this Court does not find any impediment in directing the aforesaid school authority to forward transfer application of the petitioner to the District Inspector of Schools (SE) Hooghly being respondent no. 5.

Hence, authority of Helan Saradmoni Balika Vidyalaya (H.S.) District-Hooghly being respondent nos. 6 to 8 are directed to forward transfer application of the petitioner to respondent no. 5 by 7 (seven) days from the date of communication of this order. On receipt of transfer application on completing the formality respondent no. 5 shall forward the transfer application of the petitioner to the Chairman, West Bengal Central School Service Commission by fortnight thereafter. The Chairman shall decide the transfer application by 8

(eight) weeks from the date of receipt of transfer application from the respondent no. 5. Decision to be taken by the Chairman shall be communicated to the petitioner by 1 (one) week thereafter.

It is made clear that suspension of portal shall not be ground to reject the transfer application of the petitioner.

Writ petition stands disposed of.

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.)