

19. 07. 2024

BP
ML. 250
Court No. 18

WPA 25278 of 2022

Debayan Halder
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
..for the petitioner
Mr. Susanta Pal
Ms. Ananya Neogi
..for the State
Mr. Sunit Kumar Roy
..for the Commission

The writ petition is heard in presence of the learned advocates representing the petitioner, State respondents and West Bengal Central School Service Commission.

The matter relates to transfer of a clerk in Government aided school.

Learned advocate representing the petitioner submits that the petitioner made application on 12th February, 2022 seeking general transfer. Notice of this Court has been drawn to a document at page 26 of the writ petition wherefrom it appears that the concerned District Inspector of Schools on 10th March, 2022 forwarded the transfer application of the petitioner to the office of the West Bengal Central School Service Commission. Learned advocate representing the petitioner prays for taking final decision on transfer application of the petitioner.

State respondents and West Bengal Central School Service Commission are represented by the learned advocates, who have made submissions that transfer application of the petitioner could not be processed due to suspension of Utsashree Portal. At the same time it is also submitted that if direction is given upon the concerned authority of the Commission necessary steps shall be taken in accordance with law.

In view of the submissions made on behalf of the parties, the writ petition stands disposed of directing the Chairman, West Bengal Central School Service Commission being the respondent no.3 to take decision on the transfer application of the petitioner by fortnight from the date of communication of this order. The decision to be taken by the respondent no.3 shall be communicated to the petitioner within one week thereafter.

However, it is made clear that while taking decision transfer application of the petitioner shall not be rejected on the ground of suspension of Utsashree Portal.

However, there shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)

