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13.11.2024
Ct. No. 18
adeb

W.P.A. 25727 of 2024

**Kalpana Mandal
Vs.
The State of West Bengal & Ors.**

Mr. Shuvro Prakash Lahiri
..for the petitioner

Mr. Kanak Kiran Bandopahyay
...for the SSC

Mr. Supriya Chattopadhyay
Mr. Arikndam Ghosh
...for the State

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

Matter relates to transfer of the petitioner since petitioner is suffering from ailment. An application for transfer on Utsashree Portal was made on 29th September, 2022 and same was forwarded by the school authority where petitioner is presently serving, to the concerned District Inspector of Schools (SE). On receipt of transfer application through portal District Inspector of Schools (SE) on compliance of necessary formalities forwarded the same through portal to the West Bengal Central School Service Commission on 20th December, 2022. Grievance of the petitioner is in spite of receipt of transfer application far back on 20th December, 2022 as yet said transfer application has not been considered.

Respondents are represented by learned advocates who have submitted jointly that due to suspension of Utsashree Portal with effect from 29th September, 2022 contemporaneous decision could not be taken on transfer application.

However, it has been submitted on behalf of the Commission that if direction is given upon the concerned authority transfer application of the petitioner shall be decided in accordance with law.

Having considered the submissions made on behalf of the parties writ petition stands disposed of directing the Chairman, West Bengal Central School Service Commission being respondent no. 4 to decide the transfer application of the petitioner by 8 (eight) weeks from the date of communication of this order and the decision to be communicated to the petitioner by 1 (one) week thereafter.

It is made clear that suspension of portal shall not be a 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.)