

1.

05.12.2024
Ct. No. 18
(ARPAN)

W.P.A. 27512 of 2024

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

Mr. Susanta Pal

...for the Petitioner

Mr. Susanta Kumar Mukherjee, Sr. Adv

...for the State

Mr. Sunit Kumar Roy

...for the SSC

Ms. Koyeli Bhattacharyya

Mr. Bibek Dutta

Ms. Keya Panja

...for the WBBSE

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

Matter relates to transfer of the petitioner on the ground of distance in between the present school of the petitioner and his place of residence. An application on Utsashree portal was made on 13th July, 2022 which was processed by the school where petitioner is presently working and was forwarded to the concerned District Inspector of Schools (S.E.) for taking further steps. On receipt of such application District Inspector of Schools (S.E.) completed the formalities and forwarded the same through portal to the West Bengal Central School Service Commission on 26th July, 2022. Grievance of the petitioner is in spite of receipt of transfer application far

back on 26th July, 2022 till date no decision has been taken.

Respondents are represented by learned advocates. It has been submitted on behalf of State respondents and West Bengal Central School Service Commission that due to suspension of portal with effect from 29th September, 2022, contemporaneous decision could not be taken on transfer application of the petitioner. It is submitted on behalf of the Commission if direction is given upon the concerned authority, transfer application of the petitioner shall be decided in accordance with law.

Having considered the respective submissions made on behalf of the parties, 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 by eight weeks from the date of communication of this order and decision to be communicated to the petitioner by 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.)