

03.12.2024
Court No. 18
Item No. 13
(Suvendu)

WPA 28326 of 2024

Md Hamidul Islam
-Versus-

The State of West Bengal & Ors.

Mr. Subhayu Das
.....for the petitioner

Mr. Sunit Kumar Roy
.....for the WBCSSC

Mr. Ziaul Islam
Mr. Bikramjit Mandal
.....for the State

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 petitioner on
medical ground.

Grievance of the petitioner is in spite of
making application for transfer on 11th August,
2022 on Utshasree portal and same was
forwarded by the concerned District Inspector of
Schools (SE) on 1st September, 2022 after doing
necessary formalities to West Bengal Central
School Service Commission, till date concerned
authority of the Commission has not taken any
decision on the transfer application.

Learned advocates representing the respondents have jointly submitted that contemporaneously decision on transfer application of the petitioner could not be taken due to suspension of Utshasree portal with effect from 29th September, 2022.

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

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

However, transfer application of the petitioner shall not be rejected on the ground of suspension of Utshasree portal.

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)