

345. 29.07.2024
(M/L) Court No.18
(Tanmoy)

WPA 28324 of 2022

**Md. Giasuddin Mallik
-Versus-
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury, Adv.,
Ms. Shreyeta Mitra, Adv.,
Mr. Shibjit Mitra, Adv.

...for the petitioner.

Mr. Supriyo Chattopadhyay, Ld. AGP,
Ms. Iti Dutta, Adv.

...for the State.

Dr. Sutanu Kumar Patra, Adv.,
Ms. Supriya Dubey, Adv.

...for the WBCSSC.

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

The grievance of the petitioner is non-consideration of the transfer application dated 10th September, 2022 on the ground of distance in between the school where the petitioner is working at present and the residence of the petitioner. Placing reliance on a document at page 21 of the writ petition it has been submitted by the learned Advocate representing the petitioner that application for general transfer was lastly made on 10th September, 2022 and the same was processed by the school authority first where the petitioner is working and subsequently by the concerned District Inspector of Schools (S.E.) and thereafter the transfer application was forwarded to the Office of the West Bengal Central School Service Commission on 21st September, 2022. Petitioner prays for

direction upon the concerned authority of the Commission to decide his transfer application.

State respondents and the Commission are represented by learned Advocates who submit that transfer application perhaps could not be considered due to suspension of Utshasree portal. However, it is further submitted that in the event the issue of transfer is relegated to the Chairman of the Commission the decision to be taken in accordance with law.

In view of the submissions made on behalf of the parties, the writ petition stands disposed of by directing the Chairman of the West Bengal Central School Service Commission being the respondent no.3, to take decision on the transfer application of the petitioner dated 10th September, 2022, by four weeks from the date of communication of this order and the decision to be taken by the respondent no.3 shall be communicated to the petitioner by one week thereafter.

However, it is made clear that transfer application of the petitioner shall not be rejected on the ground of suspension of Utshasree portal.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon usual undertakings.

(Saugata Bhattacharyya, J.)