

W.P.A. 28858 of 2024

**Jaba Chatterjee
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra

...for the Petitioner

Ms. Sabnam De Bardhan, Jr. Govt. Adv
Mr. Jaladhi Das

...for the State

Mr. Sourav Mitra

...for WBCSSC

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja

...for WBBSE

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

Matter relates to transfer of the petitioner since she is suffering from ailments. An application was made for transfer on Utsashree portal by the petitioner on 13th July, 2022 and same was forwarded by the school authority where petitioner is presently working to the concerned District Inspector of Schools (S.E.) for taking necessary steps. District Inspector of Schools (S.E.), Purba Bardhaman on completing formalities forwarded the transfer application of the petitioner to the West Bengal Central School Service Commission on 21st September, 2022 for taking final decision. Learned advocate for the petitioner relies upon medical certificate

dated 19th July, 2022 issued by concerned Block Medical Officer of Health which justifies transfer of the petitioner and said document is at page 16 of the writ petition. Grievance of the petitioner is in spite of receipt of the transfer application through portal far back on 21st September, 2022 till date same has not been decided.

Respondents are represented by learned advocates who have submitted jointly that contemporaneous decision could not be taken on transfer application of the petitioner due to suspension of portal.

However, on behalf of the West Bengal Central School Service Commission it is submitted that if concerned authority is directed transfer application of the petitioner shall be decided.

Having considered the submissions made on behalf of the parties and taking note of the medical report dated 19th July, 2022 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 in accordance with law by six weeks from the date of communication of this order and the order to be communicated to the petitioner by one week thereafter.

It is made clear that suspension of Utsashree portal shall not be a ground to reject 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.)