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22.01.2025
Ct. No. 18
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W.P.A. 1094 of 2025

**Md. Aminul Islam
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
...for the Petitioner

Mr. Srijan Nayak
Mr. Dipankar Dasgupta
...for the State

Mr. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja
...for the WBBSE

Mr. Sunit Kr. Roy
...for the SSC

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. Petitioner is
working as headmaster of Nazirpur Esserpara High
School (HS), Murshidabad. Petitioner preferred an
application on Utsashree Portal on 24th January, 2022
seeking transfer and same was forwarded by the school
authority on 24th January, 2022 to the concerned
District Inspector of Schools (SE) for taking further
steps. Transfer application of the petitioner was
processed by the District Inspector of Schools and same
was forwarded to the West Bengal Central School
Service Commission on 24th January, 2022 for taking

final decision. Grievance of the petitioner is in spite of receipt of transfer application through Portal far back on 24th January, 2022 till date same has not been decided.

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

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

Having considered the submissions made on behalf of the parties writ petition stands disposed of directing Chairman, West Bengal Central School Service Commission being respondent no. 3 to decide the transfer application of the petitioner in accordance with law by 8 (eight) weeks from the date of communication of this order and decision to be communicated to the petitioner by 10 (ten) days thereafter.

It is made clear that suspension of Portal shall not be ground to reject the transfer application of the petitioner. If vacancies which were indicated in the transfer application are found to be filled up, Chairman shall be at liberty to find out suitable available vacancy where petitioner can be transferred.

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

(Saugata Bhattacharyya, J.)