

14 19.02.2025
rkd Ct.18

W.P.A. 2452 of 2025

Mala Chaudhury

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,
Ms. Debolina Chakraborty

....for the petitioner.

Ms. Nilanjona Banerjee

....for the State.

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

....for the WBBSE.

Mr. Kanak Kiran Bandyopadhyay

....for the WBCSSC.

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

Petitioner prays for direction upon the
District Inspector of Schools (SE), Paschim
Medinipur being respondent no.4 to process her
transfer application and forward the same to the
West Bengal Central School Service Commission for
taking final decision.

An application for transfer was made on
portal on 8th November, 2022 on the ground of
distance in between the present school of the
petitioner and her place of residence.

The school authority where petitioner is
presently serving issued No Objection Certificate

and forwarded the transfer application on 12th November, 2022 to the respondent no.4.

The grievance of the petitioner is after receipt of transfer application through portal on 12th November, 2022 till date respondent no.4 has not taken any steps for forwarding the transfer application to the West Bengal Central School Service Commission.

Respondents are represented by learned advocates.

It is submitted on behalf of the State respondents that due to suspension of portal steps could not be taken on transfer application of the petitioner.

It has already been decided that suspension of portal ought not to be a ground to deny the right of applicant teacher to be transferred in terms of statutory provisions.

Therefore, respondent no.4 is directed to forward the transfer application of the petitioner dated 8th November, 2022 to the West Bengal Central School Service Commission by fortnight from the date of communication of this order.

After receipt of transfer application Chairmen, West Bengal Central School Service Commission being respondent no.3 is directed to

decide the transfer application of the petitioner by six weeks thereafter in accordance with law.

The decision to be taken by the respondent no.3 shall be communicated to the petitioner by ten days thereafter.

However, it is made clear that suspension of Utsashree portal shall not be a ground for rejecting the transfer application of the petitioner.

The writ petition stands disposed of.

However, 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.)