

2.
(DL)

18.03.2025
Ct. No. 18
(ARPAN)

W.P.A. 3116 of 2025

**Sabyasachi Bandyopadhyay
Vs.
The State of West Bengal & Ors.**

Mr. Shuvro Prakash Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mondal

...for the Petitioner

Mr. Syed Nasirul Hossain

...for the State

Mr. Sunit Kumar Roy

...for W.B.C.S.S.C

Mr. Deepan Kumar Sarkar
Mr. Prithwish Roy Chowdhury
Ms. Deepti Priya

...for Respondent Nos.6 & 7

In terms of the order dated 26th February, 2025, matter is taken up for consideration in presence of the learned advocates representing the petitioner, State respondents, West Bengal Central School Service Commission and Baranagar Ramkrishna Mission Ashram High School being respondent nos.6 & 7.

Petitioner made application for transfer on Utsashree portal on 28th March, 2022 being an Assistant Teacher of Baranagar Ramkrishna Mission Ashram High School which was forwarded by the school authority to the concerned District Inspector of Schools (S.E.) for taking further steps. The District Inspector of Schools (S.E.), North 24 Parganas in his turn has processed the transfer application and forwarded the same to the West Bengal Central School Service Commission through portal on 8th May, 2022 for final decision.

The grievance of the petitioner is in spite of receipt of transfer application far back on 8th May, 2022, the Commission has not decided the transfer application finally.

It has been submitted by learned advocate representing the aforesaid school authority that said authority has no objection if petitioner avails the benefit of transfer rules in the event he is found to be eligible for such transfer.

It is submitted on behalf of West Bengal Central School Service Commission that in view of order dated 6th January, 2022 issued by the School Education Department, Secondary Branch, Government of West Bengal petitioner can be transferred in accordance with law if he is found eligible.

It is further submitted on behalf of State respondents as well as Commission that due to suspension of portal with effect from 29th September, 2022, contemporaneous decision could not be taken on transfer application of the petitioner.

On behalf of West Bengal Central School Service Commission, it is submitted that if concerned authority is directed, transfer application of the petitioner shall be decided in accordance with law.

Having considered the submissions made on behalf of the parties, writ petition stands disposed of directing the Chairman, West Bengal Central School Service Commission being respondent no.4 to decide the transfer application of the petitioner by six (6) weeks from the date of communication of this order and the decision shall be communicated to the petitioner by ten (10) days thereafter.

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

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

(Saugata Bhattacharyya, J.)