

06.03.2025
Court No. 18
Item No. 18
(Suvendu)

WPA 4423 of 2025

Nabanita Patra Karmakar
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
.....for the petitioner

Mr. Sunit Kumar Roy
.....for the WBCSSC

Mr. Sounak Bhattacharya
Mr. Santanu Sett
...for the State

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

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

An application for transfer was made by
the petitioner on Utshasree portal on 7th
September, 2021 on the ground that her
husband is suffering from malignant disease. In
this regard, a medical document dated 3rd
February, 2025 issued by Christian Medical
College, Vellore is relied upon. The concerned
school authority forwarded the transfer
application of the petitioner on 23rd September,
2021 to the District Inspector of Schools (SE),
Bankura for taking further steps. The District

Inspector of Schools (SE), Bankura in his turn has processed the transfer application of the petitioner and forwarded the same through portal on 8th October, 2021 to West Bengal Central School Service Commission for taking final decision.

Grievance of the petitioner is in spite of receiving transfer application far back on 8th October, 2021, till date transfer application has not been decided by the Commission.

Learned advocates representing the respondents have jointly submitted that contemporaneously decision on transfer application of the petitioner could not be taken due to suspension of Utshasree portal with effect from 29th September, 2022.

However, it has been submitted on behalf of the Commission that if direction is given upon the appropriate authority, transfer application of the petitioner shall be decided in accordance with law.

In view of submissions made on behalf of the parties, the writ petition stands disposed of by directing the Chairman, West Bengal Central School Service Commission, being the respondent no. 3 to take decision on transfer application of the petitioner by four weeks from

date of communication of this order in accordance with law and the decision to be taken by the respondent no. 3 shall be communicated to the petitioner by ten days thereafter. While considering the transfer application of the petitioner, respondent no. 3 shall consider present available vacancies and a vacancy in a school to be selected which is nearby to the place of residence of petitioner.

However, transfer application of the petitioner shall not be rejected on the ground of suspension of Utshasree portal.

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)