

W.P.A. 4553 of 2025

**Alaul Haque
Vs.
The State of West Bengal & Ors.**

Mr. Arpan Sinha
...for the Petitioner

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
...for the State

Mr. Sourav Mitra
Mr. Sunit Kumar Roy
...for W.B.C.S.S.C

Ms. Koyeli Bhattacharyya
Mr. Bibek Duta
Ms. Keya Panja
...for W.B.B.S.E

Matter is heard in presence of the learned advocates representing the petitioner, State respondent, West Bengal Central School Service Commission and the West Bengal Board of Secondary Education.

Learned advocate representing the petitioner submits that petitioner is the Headmaster of a Government aided secondary school and the petitioner is a specially abled candidate. In support of same a disability certificate dated 2nd November, 2023 issued by Murshidabad Medical College, Murshidabad is relied upon which is at page 21 of the writ petition. The said disability certificate indicates that petitioner is suffering from 50 per cent locomotor disability.

Petitioner had applied for transfer on 16th August, 2021 on Utsashree portal which was forwarded by the school authority where petitioner is presently working on 20th August, 2021 to the concerned District

Inspector of Schools (S.E.). The District Inspector of Schools (S.E.), Murshidabad in his turn has processed the transfer application and forwarded the same to the West Bengal Central School Service Commission on 20th August, 2021 through portal for taking final decision but grievance of the petitioner is till date transfer application of the petitioner has not been decided.

Learned advocates representing the respondents have jointly submitted due to suspension of portal on and from 29th September, 2022, contemporaneously transfer application of the petitioner could not be decided.

However, it is submitted on behalf of the Commission that if concerned authority is directed, decision shall be taken in accordance with law on transfer application of the petitioner.

Having considered the respective submissions made on behalf of the parties, writ petition stands disposed of directing the Chairman, West Bengal Central School Service Commission being respondent no.2 to decide transfer application of the petitioner by four (4) weeks from the date of communication of this order and the decision shall be communicated to the petitioner by ten (10) days thereafter. At the time of deciding transfer application of the petitioner, Chairman of the Commission shall also take into consideration other

available vacancies for the petitioner which is nearby to the place of residence of the petitioner.

It is made clear that suspension of portal shall not be a ground to reject transfer application of the petitioner.

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

(Saugata Bhattacharyya, J.)