

13 13.03.2025
rkd Ct.18

W.P.A. 5274 of 2025

Manas Kumar Dandapath

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury

....for the petitioner.

Mr. Saikat Chatterjee,
Mr. Soumyajit Ghosh

....for the State.

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

....for the WBBSE.

Mr. Sourav Mitra

....for the WBCSSC.

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

Petitioner prays for transfer on general
ground (distance) by preferring an application on
10th September, 2022 on Utsashree portal.

The school authority where petitioner is
presently working has forwarded the same to the
concerned District Inspector of Schools (SE) on 13th
September, 2022. The concerned District Inspector
of Schools (SE) in his turn has processed the
transfer application of the petitioner and forwarded
the same to the office of the West Bengal Central
School Service Commission through portal on 18th
September, 2022 for taking final decision.

It is further submitted on behalf of the petitioner that he is an Assistant Teacher in Work Education and another Assistant Teacher in Work Education has joined the school. Therefore, there is no difficulty at present to transfer the petitioner from his present school to another school.

The grievance of the petitioner is in spite of receipt of transfer application far back on 18th September, 2022 till date no decision has been taken by the Commission.

Respondents are represented by learned advocates who have submitted jointly that due to suspension of Utsashree portal with effect from 29th September, 2022 contemporaneous decision could not be taken.

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

Having considered the submissions made on behalf of the parties, the 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 in accordance with law by eight

weeks from the date of communication of this order.

The decision to be taken by the respondent no.4 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.

There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)