

W.P.A. 5861 of 2025

**Shyamali Das @ Biswas
Vs.
The State of West Bengal & Ors.**

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
Mr. Soumik Dey
Mr. Saikat Pal

...for the petitioner

Mr. Pinaki Dhole
Mr. Avishek Prasad

...for the State

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

...for the Board

Mr. Sourav Mitra

..for the WBCSSC

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

Matter relates to transfer of the petitioner
since she is suffering from gynecological disorder.
Petitioner made an application for transfer on
Utsashree Portal on 22nd April, 2022 which was
forwarded by the school authority where
petitioner is presently working along with 'no
objection certificate' to the concerned District
Inspector of Schools (SE) for taking further steps.
On receipt of transfer application District
Inspector of Schools (SE) processed the transfer
application and forwarded the same through
portal on 7th June, 2022 to the West Bengal

Central School Service Commission for taking final decision. It has been specifically endorsed while forwarding the transfer application by the District Inspector of Schools that the school has issued 'no objection certificate' and concerned CMOH has also issued medical certificate in favour of the petitioner. Grievance of the petitioner is in spite of receipt of transfer application by the West Bengal Central School Service Commission as yet no decision has been taken.

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

However, on behalf of Commission it is submitted if concerned authority is directed transfer application 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 6 (six) weeks from the date of communication of this order and the decision

shall be communicated to the petitioner by 10 (ten) days thereafter.

It is made clear that suspension of portal shall not be ground to reject the 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.)