

21.5.2025
Ct.25,sl.23,
sk

WPA 28041 of 2022

Sukanta Das -vs- The State of West Bengal & Ors.

Mr. Ujjal Ray
...for the petitioner.

Dr. Sutanu Kr. Patra
Ms. Supriya Dubey
...for the WBCSSC

1. Affidavit of service filed by the petitioner is taken on record.
2. The petitioner being the Assistant Teacher of the school is aggrieved that his application for transfer, in terms of the General Rules of transfer, though has been recommended by the CMOH concerned and forwarded to the end of the respondent District Inspector of Schools and pending since May 5, 2022, the same is yet to be considered by the said respondent.
3. It appears from record that the petitioner's application dated February 21, 2022, for transfer is on his wife's medical ground.
4. None appears for the State respondent in spite of service of notice. Hence, the matter is taken up for adjudication in absence of the State respondent.
5. Having heard the learned counsels for the parties and having perused the records, this Court finds it proper to dispose of the present writ petition with the following directions:-

- i) Let the District Inspector of Schools (S.E.), Birbhum, after considering the report of CMOH if received forward its recommendation for transfer of the writ petitioner to the West Bengal Central School Service Commission in accordance with law.
- ii) Let the respondent West Bengal Central School Service Commission take up the application for transfer of the writ petitioner after the same is forwarded to it by the District Inspector of Schools(SE), Birbhum and consider the same in an appropriate mode (online or off line) and in accordance with law.
- iii) Let the application of the writ petitioner as above, be decided by the said authority, within a period of twelve weeks from the date of communication of copy of this order and after affording reasonable opportunity of hearing to the writ petitioner and communicate the order as passed.

6. The writ petition as above, is disposed of.

7. Since no affidavit is called for in this case, the allegations made in the writ petition, are deemed to have been denied by the respondents.
8. Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)