

02.01.2025
Court No. 18
Item No. 07
(Suvendu)

WPA 28497 of 2024

Subir Kumar Das
-Versus-
State of West Bengal & Ors.

Mr. Firdous Samim
Ms. Gopa Biswas
Ms. Swati Dey
.....for the petitioner

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

Mr. Ziaul Islam
Mr. Debottam Das
.....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.

Matter relates to transfer of the petitioner
on the ground of distance in between present
school of the petitioner and petitioner's place of
residence and an application was made on
Utshasree portal within lifetime of the said
portal. Petitioner prays for direction upon the
concerned respondent authorities to take
decision on transfer application of the petitioner.

From a document at page 47 of the writ
petition it appears that after processing transfer

application first by the concerned school authority and subsequently by the concerned District Inspector of Schools (SE), same was forwarded on 31st January, 2022 to the West Bengal Central School Service Commission for taking decision.

Grievance of the petitioner is till date concerned authority of the Commission has not taken any decision on the transfer application.

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. 5 to take decision on transfer application of the petitioner by eight weeks from date of communication of this order in

accordance with law and the decision to be taken by the respondent no. 5 shall be communicated to the petitioner by one week thereafter.

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.)