

13 02.01.2025
rkd Ct.18

W.P.A. 28731 of 2024

Kalyanmoy Chattopadhyay

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,
Mr. Debalina Chakraborty

....for the petitioner.

Mr. Jahar Datta,
Mr. Jaladhi Das

....for the State.

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

....for the WBBSE.

Mr. Kanak Kiran Bandyopadhyay

....for the WBCSSC.

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

Matter relates to transfer of the petitioner since wife of the petitioner is suffering from ailment.

Placing reliance on a document at page 17 of the writ petition it has been contended on behalf of the petitioner that last application for transfer was made on 15th February, 2022 on Utsashree portal and same was forwarded by the school authority where petitioner is presently working to

the concerned District Inspector of Schools (SE) for taking further steps.

The concerned District Inspector of Schools (SE) in his turn has forward the transfer application of the petitioner to the West Bengal Central School Service Commission upon processing the transfer application far back on 12th May, 2022 but till date no decision has been taken by the concerned authority of the West Bengal Central School Service Commission.

The respondents are represented by learned advocates who have jointly submitted 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 that 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.3 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.3 shall be communicated to the petitioner by one week 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.)