

Ml- 26.02.2025
137 Ct.18
rkd

W.P.A. 27487 of 2023

Smt. Debjani Goswami

-vs-

The State of West Bengal & Ors.

Ms. Malyashree Maity,
Mr. Shankha Maity,
Mr. Nishan Kumar,
Mr. Fardeen Hossain

....for the petitioner.

Ms. Mousumi (Halder) Choudhury,
Mr. Soumik Dey

....for the State.

Mr. Sunit Kumar Ray

....for the WBCSSC.

Mr. Malay Bhattacharyya,
Mr. Subhrajyoti Ghosh

....for the school authority.

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

A transfer application was made on Utashree portal and in support of the same a document at page 18 is relied upon.

The learned advocate representing the State respondent has placed before this Court written instruction dated 30th November, 2024 wherefrom it appears that on processing the transfer application of the petitioner and after obtaining medical report from the concerned Chief Medical Officer of Health transfer application was forwarded to the West Bengal Central School Service Commission on 23rd

August, 2022. The written instruction dated 30th November, 2024 is taken on record.

The grievance of the petitioner is in spite of receipt of transfer application far back on 23rd August, 2022 till date no decision has been taken by the 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 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 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 Chairman, West Bengal Central School Service Commission shall be communicated to the petitioner by seven

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.)