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W.P.A. 30190 of 2024

Nandini Mani

-vs-

The State of West Bengal & Anr.

Mr. Sudip Ghosh Chowdhury,
Ms. Sreyetas Mitra

....for the petitioner.

Mr. Malay Krishna De,
Ms. Sanchayita De

....for the State.

Mr. Sunit Kumar Roy

....for the WBCSSC.

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta,

....for the WBSSE.

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 ailment.

It has been submitted by the learned
advocate representing the petitioner that the
application was made on Utsashree portal on 15th
February, 2022 seeking transfer on medical ground
which was processed by the school authority where
petitioner is presently working and forwarded the
same to the concerned District Inspector of Schools
(SE). The concerned District Inspector of Schools
(SE) in his turn has processed the transfer
application of the petitioner on compliance of
necessary formalities and forwarded the same to

the office of the West Bengal Central School Service Commission through portal on 29th March, 2022 for taking final decision.

The grievance of the petitioner is in spite of receipt of transfer application far back on 29th March, 2022 through portal till date no decision has been taken by the Commission. Petitioner prays for direction upon the Commission to decide her transfer application.

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 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.

Leave is granted to the petitioner to amend the cause title of the writ petition and to add Chairman, West Bengal Central School Service Commission as additional respondent by tomorrow, 7th January, 2025.

However, service of notice upon the additional respondent is dispensed with since West Bengal Central School Service Commission is represented by learned advocate.

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.)