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15.01.2025
Ct. No. 18
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W.P.A. 30654 of 2024

**Subhas Chandra Ghosh
Vs.
The State of West Bengal & Ors.**

Mr. Shuvro Prakash Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mondal

..for the petitioner

Mr. A.K. Paul
Mr. Srikanta Paul

...for the State

Mr. Sunit Kr. Roy

...for the SSC

Affidavit of service filed on behalf of the petitioner
is taken on record.

Matter relates to transfer of the petitioner on
medical ground since wife of the petitioner is suffering
from ailment. The application for transfer was made on
Utsashree Porta on 10th April, 2022 and same was
forwarded by the school authority where petitioner is
working, to the concerned District Inspector of Schools
(SE) for taking further steps. The District Inspector of
Schools (SE) in his turn has forwarded the transfer
application of the petitioner to the West Bengal Central
School Service Commission on 19th May, 2022 for taking
final decision. Grievance of the petitioner is in spite of
forwarding the transfer application of the petitioner on
19th May, 2022 till date no decision has been taken by
the Commission.

West Bengal Central School Service Commission is represented by learned advocate who submits contemporaneous decision perhaps could not be taken since Portal was suspended from 29th September, 2022. However, it is also submitted on behalf of the Commission if concerned authority is directed transfer application of the petitioner shall be decided in accordance with law.

Having considered the submissions made on behalf of the parties writ petition stands disposed of directing the Chairman, West Bengal Central School Service Commission being respondent no. 4 to decide the transfer application of the petitioner by 8 (eight) weeks from the date of communication of this order and the decision to be taken by the respondent no. 4 shall be communicated to the petitioner by 1 (one) week thereafter.

If preferred posts in terms of the application of the petitioner are found to be filled up respondent no. 4 shall be at liberty to consider other suitable vacancies for petitioner's transfer.

It is made clear that suspension of portal shall not be ground to reject the transfer application of the petitioner.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)