

12 09.01.2025
Ct.18
(Suvendu)

W.P.A. 30789 of 2024

Pulakesh Pariary

-vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra

....for the petitioner

Mr. Swapan Banerjee
Mr. Soumen Chatterjee

.....for the State

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

.....for the WBBSE

Mr. Sourav Mitra

...for the WBCSSC

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

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

Application for transfer was made by the petitioner on Utshasree portal on 28th September, 2022 and same was forwarded to the District Inspector of Schools (SE), Paschim Medinipur being respondent no. 4 on 13th October, 2022.

Grievance of the petitioner is in spite of forwarding transfer application on 13th October, 2022 till date respondent no. 4 has not taken any step to process transfer application of the petitioner.

Respondents are represented by learned advocates.

It is submitted on behalf of West Bengal Central School Service Commission that application for transfer was made on medical ground. Therefore, even it is found that petitioner is a single teacher in the subject in the school that should not hinder in processing such transfer application.

In view of the respective submissions made on

behalf of the parties, this Court finds it fit to direct respondent no. 4 to obtain medical report from the concerned Chief Medical Officer of Health on medical verification of wife of the petitioner by three weeks from the date of communication of this order. If medical report justifies transfer of the petitioner, respondent no. 4 shall forward transfer application along with medical report to the Commission by seven days from the date of obtaining medical report for taking final decision. On receipt of transfer application and medical report, Chairman of West Bengal Central School Service Commission being respondent no. 3 is directed to take final decision on transfer application of the petitioner by six weeks thereafter and the decision to be taken by respondent no. 3 shall be communicated to the petitioner by one week thereafter.

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

With the above observations, writ petition stands disposed of.

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 undertaking.

(Saugata Bhattacharyya, J.)