

30.08.2024
Court No. 18
Item No.30
(Suvendu)

WPA 20889 of 2024

Firoja Khatun
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Afrin Nahar Mondal
.....for the petitioner

Ms. Koyeli Bhattacharyya
....for the WBBSE

Mr. Kanak Kiran Bandyopadhyay
.....for the WBCSSC

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

Matter relates to transfer of the petitioner
on medical ground.

The learned advocate representing the
petitioner submits that after preferring the
transfer application on medical ground on 17th
September, 2022 the same was processed by the
school authority where petitioner is presently
serving. Thereafter on receipt of such
application, the concerned District Inspector of
Schools upon taking necessary steps forwarded
the transfer application of the petitioner to the
West Bengal Central School Service Commission

for taking final decision on 7th December, 2022. It is submitted that in spite of receiving transfer application far back on 7th December, 2022 till date said transfer application has not been decided.

The West Bengal Board of Secondary Education and West Bengal Central School Service Commission are represented by the learned advocates who have jointly submitted that perhaps due to suspension of Utshasree portal contemporaneous decision could not be taken on the transfer application of the petitioner.

However, it is submitted on behalf of the Commission that if direction is given upon the concerned authority of the Commission, 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 of the Commission being the respondent no. 3 to decide transfer application of petitioner in accordance with law by four weeks from the date of communication of this order and the decision to be taken by the 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 due to suspension of Utshasree portal.

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 undertakings.

(Saugata Bhattacharyya, J.)