

29.11.2024
Court No. 18
Item No. 11
(Suvendu)

WPA 27764 of 2024

Basudeb Maity
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Sreyeta Mitra
.....for the petitioner

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
.....for the State

Mr. Sunit Kumar Roy
.....for the WBCSSC

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja
...for the WBBSE

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

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

An application was made on Utshasree
portal on 28th September, 2022 and same was
forwarded by the school authority where
petitioner is presently working to the District
Inspector of Schools (SE), Purba Medinipur,
being respondent no.4 on 29th September, 2022

for taking steps. Grievance of the petitioner is in spite of receipt of transfer application through portal by respondent no. 4, till date no step has been taken by the respondent no.4.

Mr. Mukherjee, learned advocate representing State respondents submits on instruction that respondent no. 4 has obtained medical report from the concerned Medical Officer on medical verification of wife of the petitioner but due to suspension of Utshasree portal same was not forwarded to the concerned authority of West Bengal Central School Service Commission for taking final decision.

West Bengal Board of Secondary Education and West Bengal Central School Service Commission are represented by learned advocates.

However, it has been submitted on behalf of the Commission that if direction is given upon the appropriate authority, transfer application of the petitioner shall be decided in accordance with law.

In view of submissions made on behalf of the parties, the writ petition stands disposed of by directing respondent no. 4 to forward transfer application of the petitioner along with medical

report, if medical report justifies transfer of the petitioner, by fortnight from the date of communication of this order to the West Bengal Central School Service Commission. On receipt of transfer application, Chairman of the Commission being respondent no. 3 shall decide transfer application of the petitioner by eight weeks from date of receipt of transfer application from respondent no.4 and the decision to be taken by respondent no. 3 shall be communicated to the petitioner by one week thereafter.

However, transfer application of the petitioner shall not be rejected on the ground of 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.)

