

08.08.2022.
Court No.13
Item No. 22
ap

W.P.A. No. 12612 of 2022

**Rupa Basak
Versus
The State of West Bengal & Ors.**

Mr. Sakti Pada Jana,
Mr. Subhajyoti Das.

...For the petitioner.

Mr. Supriyo Chattopadhyay,
Ms. Sayantanee Bhattacharjee.

...For the State.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey.

...For the WBCSSC.

Affidavit-of-service filed in Court today be taken
on record.

The petitioner has applied for general transfer
from Bishrail High School (H.S), Dakshin Dinajpur to
Itahar Girl High School, Raiganj, Uttar Dinajpur prior
to facilitation of the Utsashree Portal.

The District Inspector of Schools (SE), Uttar
Dinajpur has on 3rd February, 2021 found a vacancy
in Itahar Girl High School, Raiganj, Uttar Dinajpur.

The petitioner seeks transfer to such school
since, according to Mr. Jana, counsel appearing for
the petitioner, such vacancy still exists.

Dr. Patra, Counsel for the School Service
Commission, submits that since after coming into
force of the Utsashree Portal, all vacancies already
existing were required to have been informed and

indicated to the School Service Commission by the concerned District Inspector of Schools (SE). The same is accordingly displayed on the Utsashree Portal. In the absence of any vacancy not being displayed on the portal, the same is indicative of its absence.

However, since the petitioner had opted for transfer and there was a vacancy in the transferee school as on February 20, 2021, the School Service Commission may consider the petitioner's request for transfer to the Itahar Girl High School, Raiganj, Uttar Dinajpur, if the vacancy exists today.

The availability of the vacancy may be communicated by the concerned District Inspector of Schools (SE) to the School Service Commission, if not already done.

Let a decision be taken by the School Service Commission as directed above within a period of three weeks from date.

With the aforesaid directions, the writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

