

10.08.2022.
Court No.13
Item No. 49
ap

W.P.A. No. 14406 of 2022

**Sri Kumaresh Ghosh
Versus
The State of West Bengal & Ors.**

Mr. Shamim-ul Bari.

...For the petitioner.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey.

...For the WBCSSC.

The petitioner is aggrieved that his application for transfer has been returned on the ground that he has completed only one year in Sankrail Abhay Charan High School.

The petitioner was sent to the aforesaid school by way of administrative order issued by the WBCSSC on transfer from Howrah Jogendra Smriti Siksha Mandir. Two earlier applications of the petitioner prior to December, 20, 2021 were returned on the ground that he is a single teacher in Howrah Jogendra Siksha Mandir.

The petitioner thereafter applied for transfer on 26th June, 2022, which was not entertained by the WBCSSC on the ground that the petitioner has not completed five years in the present School.

Mr. Bari, counsel for the petitioner, submits that a transfer on administrative ground cannot stand in the way of the petitioner applying for transfer on the

Utsashree Portal under the 2015 Rules.

This Court is unable to accept the submission. Under the 2015 Rules, an applicant is required to complete five years in the institution where he is posted, irrespective of whether the posting is the result of a voluntary transfer or an administrative one.

In that view of the matter, no relief can be granted to the writ petitioner in this writ petition.

Hence, the instant writ petition must fail and is hereby dismissed.

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.)