

WPA 22293 OF 2022

Sutapa Khamaru

Vs.

State of West Bengal & Ors.

Mr. Tarun Kumar Das

..... For the Petitioner

Mr. Shamim ul Bari

..... For the State

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

The writ petitioner seeks transfer on the ground that her husband had died and she has to travel about 132 km. From her residence to attend her school which is her workplace.

The petitioner submits that the application was based solely on the ground under Rule 4 of the **West Bengal School Service Commission (General Transfer, Transfer on Special Ground and Re-allocation) Rules, 2015** (in short the said Rules). Specifically referring to Rule 4(c) of the said Rules as amended from time to time, the petitioner seeks transfer on the ground of her husband.

On a plain reading of the Rule 4 of the said Rules it appears that the qualifying criteria to apply and take benefit of the grounds for transfer under Rule 4 is that,

an incumbent to apply online in the designated portal for transfer.

Admittedly, the petitioner did not apply through the designated portal. The petitioner made a representation dated September 8, 2022, **Annexure-P9** to the writ petition. He submitted that, the representation also did not receive any attention of this State authority.

From a reading of the Rule 4 of the said Rule it is clear that the qualifying criteria should be to make an application through officially designated portal and not otherwise.

Admittedly, in this case the petitioner did not apply for whatever reasons through such officially designated portal. Thus the petitioner at the threshold did not qualify to avail of the benefit of the grounds of transfer mentioned under Rule 4 of the said Rule.

In view of the above, this writ petition, **WPA 22293 of 2022** stands dismissed, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)