

MAT 1896 of 2023

with

I.A No. CAN 1 of 2023

Tanushree Rooj @ Tanushree Banerjee

Vs.

The State of West Bengal & Ors.

Mr. Shuvro P. Lahiri

Mr. Rajesh Naskar

... For the Appellant

Mr. Bhaskar Prasad Vaisya, Ld. AGP

Mr. Gourav Das

... For the State

Ms. Koyeli Bhattacharyya

... For WBBSE

Mr. Sourav Mitra

... For the WBCSSC

1. We have heard the learned counsel appearing for the parties.

2. It is submitted on behalf of the appellant that 10% rule would not be applicable to the appellant regarding general transfer.

3. In view of the fact that the application for general transfer under Utsashree Portal was made when the said Portal was functional, we dispose of the appeal by directing the District Inspector of Schools(S.E), Purba Burdwan to revisit the issue, after giving an opportunity of hearing to the petitioner and decide the matter within eight weeks from the date of communication of this order by either of the parties, considering that 10% rule would not be

applicable to the appellant.

4. We make it clear that we have not gone into the merits of the matter.

5. In view of the aforesaid, the appeal being MAT 1896 of 2023 stands disposed of.

6. In view of the disposal of the appeal, nothing remains to be decided in the application for stay being CAN 1 of 2023 and the same is accordingly disposed of.

7. However, there shall be no order as to costs.

8. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar,J.)

(Soumen Sen, J.)

