

24.11.2023
Sl. No.14
srm

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

W.P.A. No. 2604 of 2023

Kishor Modak

Vs.

The State of West Bengal & Ors.

Mr. Sakti Pada Jana,
Mr. Debajit Kundu

....for the Petitioner.

Mr. Subir Kumar Saha,
Mr. Sumit Kumar

.....for State-respondents.

Mr. Bikramaditya Ghosh

...for the SSC.

Affidavit-of-service is taken on record.

The petitioner is an Assistant Teacher of Parangerper Sishu Kalyan High School (H.S.), District-Alipurduar. The petitioner's service was approved sometime in 2011. The petitioner applied for general transfer on the medical ground of his spouse. The petitioner contends that his residence is 30 kms. away from his school and his wife suffers from serious gynaecological illness, which was confirmed by the Chief Medical Officer of Health. His wife needs constant

attention. It is necessary for the petitioner to stay with his wife.

The petitioner applied in the Utsashree portal and it appears from the record that the matter is now pending before the West Bengal Central School Service Commission. The Commission is yet to decide the matter. In the meantime, Utsashree portal has been suspended.

Thus, the writ petition is disposed of with a direction upon the competent authority of the West Bengal Central School Service Commission to dispose of the prayer of the petitioner in the offline mode and if the case of the petitioner is considered favourably, the vacancy position shall be shown to the petitioner so that the petitioner may exercise option accordingly. A reasoned order shall be passed and communicated to the petitioner.

The entire exercise shall be completed within a period of two months from the date of communication of this order.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)