

29.11.2023
Sl. No.6
srm

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

W.P.A. No. 2660 of 2023

Dipankar Basak

Versus

The State of West Bengal & Ors.

Mr. Shuvra Prakash Lahiri,
Mr. Debajit Kundu

....for the Petitioner.

Mr. Momenur Rahman,
Mr. Bikash Singha

.....for State-respondents.

Mr. Bikramaditya Ghosh

...for the SSC.

Affidavit-of-service is taken on record.

The petitioner is an Assistant Teacher of Ratherhar High School (H.S.), District-Jalpaiguri and prays for transfer on the ground of distance.

The petitioner has to look after a five-year-old child. It is further contended that the petitioner has to live away from his ailing parents. Initially, the petitioner could not file the application through the Utsashree portal as the petitioner had not completed five years of confirmed service. At present, the petitioner has

completed five years from October 3, 2018 (date of approval of service).

The petitioner has applied to the Headmaster of the school for a 'no objection', which is yet to be acted upon.

The writ petition is disposed of with a direction upon the school authority to take a decision on the application filed by the petitioner dated October 5, 2023. If the school authority does not have any objection, the matter will be forwarded to the District Inspector of Schools (Secondary Education), Jalpaiguri and the concerned District Inspector of Schools, in case of concurrence with the prayer for transfer of the petitioner, shall forward the matter to the West Bengal Central School Service Commission. If the petitioner satisfies the authorities that he has a good ground for transfer, necessary order shall be issued and communicated to the petitioner.

The entire exercise shall be completed in the offline mode. 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.

In case the school authority or the District Inspector of Schools or the Commission has any objection at any

stage, while processing the matter, such reasons shall be disclosed to the petitioner.

The entire exercise shall be completed within a period of four 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.)