

November 28, 2023
Sl. No. 23
Court No.2
s.biswas

**In the Calcutta High Court
Circuit Bench at Jalpaiguri
Appellate Side**

WPA 2731 of 2023

Satabdi Brahma

vs.

The State of West Bengal and others

Mr. Debajit Kundu

... for the petitioner

Mr. Subir Kumar Saha, AGP

Mr. Pretom Das

... for the State

The petitioner applied to several authorities seeking transfer on special ground from Jalpaiguri to Birbhum. It is submitted that her husband has been transferred to Rampurhat Birbhum, which is 450 kilometers away from her place of work. She is facing huge problem trying to manage alone with an eight-year old child. It is becoming increasingly difficult for her to serve at Jalpaiguri.

In my opinion, as the Utasashree portal has been suspended, the petitioner is at liberty to approach the school authority by filing proper application. The school authority shall take into consideration such fact and take a decision. If the school authority has no objection, the matter will be forwarded to the concerned District Inspector of Schools. The District Inspector shall consider the matter and if there is no constraint, the case shall

be forwarded to the West Bengal School Service Commission, with comments.

If the District Inspector is not in a position to allow the case, reasons shall be informed to the petitioner.

The entire process must be exhausted in off-line mode in terms of the West Bengal School Service (General Transfer, Transfer on Special Grounds and Reallocation) Rule, 2015, which has since been amended on September 8, 2021. Necessary decisions shall be arrived at and communicated to the petitioner. If the petitioner satisfies her case for transfer, the transfer order shall be issued immediately by the appropriate authority and if the petitioner's case is rejected at any stage, by any of the authorities involved in the process, the reasons as to why the transfer cannot be allowed, shall be intimated to the petitioner, strictly in accordance with law.

Accordingly, the writ petition is disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)