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02.08.2024
Ct. No. 18
adeb

W.P.A. 6142 of 2023

**Tapas Das
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
...for the petitioner

Mr. Sourav Mitra
...for the CSSC

Ms. Tuli Sinha
...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Matter relates to transfer of the petitioner being an assistant teacher in a Government aided school based on an application for transfer on the ground of distance. Relying upon a document at page 23 of the writ petition it has been submitted on behalf of the petitioner that on 3rd July, 2022 application was made by the petitioner seeking general transfer on the ground of distance and the same was forwarded by the petitioner's school authority to the office of the concerned District Inspector of Schools (SE) Malda. However, according to the petitioner the concerned District Inspector of Schools did not take any steps on the ground that the

petitioner was found to be a single teacher in the subject in the school.

State-respondents and West Bengal Central School Service Commission are represented by learned advocates.

It has been submitted on behalf of the State-respondents that there is suspension of Utsashree Portal with effect from 29th September, 2022 which prevented the authority to take steps contemporaneously. In addition thereto, it is also submitted that petitioner was found to be single teacher which created impediment in processing the transfer application of the petitioner.

Having considered the submissions made on behalf of the parties and taking note of the materials available on record the writ petition stands disposed of directing the District Inspector of Schools (SE) Malda being respondent no. 4 to make an endeavour to find out a willing teacher from a neighbouring school who can man the post of the petitioner temporarily till regular incumbent joins the post which would facilitate transfer of the petitioner to another school. If local arrangement is made in terms of 3rd January, 2022 notification thereby temporarily engaging another teacher in the same subject in the school of the petitioner, petitioner shall be transferred to another school in the event it is found by the concerned District

Inspector of Schools that it is a 'fit case' for taking such steps.

Accordingly, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)