

ML 166
21.08.2024
Ct. No. 18
adeb

W.P.A. 9752 of 2023

**Debyani Nandi
Vs.
The State of West Bengal & Ors.**

Mr. Sayani Roy Chowdhury
Mr. Debtanay Banerjee
Mr. Vishal Singh
...for the petitioner

Mr. Sunit Kr. Roy
...for the SSC

Ms. Munmun Tewary
Ms. Sanchayita De
...for the State

Supplementary affidavit filed in Court is taken on record.

Petitioner prays for transfer on the ground of distance in between the present school of the petitioner and her place of residence. The learned advocate for the petitioner submits that an offline application was made before the Commissioner of School Education, West Bengal on 3rd April, 2022. It is also submitted that by filing supplementary affidavit it is disclosed that similar application has also been made to the school authority where petitioner is presently serving. Petitioner prays for issuance of mandamus directing the concerned respondent authorities including West Bengal Central School Service Commission to recommend the petitioner for transfer to school which is nearby to the place of residence of the petitioner.

Having considered the submission made on behalf of the petitioner and on perusal of the transfer application dated 3rd April, 2022 this Court is at a loss as to why the petitioner did not make application seeking transfer on Utsashree Portal since the Portal was kept alive till 29th September, 2022 whereas offline application was made by the petitioner on 3rd April, 2022.

Furthermore, it is not a special case where petitioner or any member of the family of the petitioner is suffering from serious ailment requiring immediate transfer of the petitioner to another school which is nearby to the place of her residence.

In view of aforesaid scenario no relief at this stage can be granted to the petitioner.

Accordingly, the writ petition stands dismissed.

However, this order shall not preclude the petitioner to apply for transfer in accordance with law in future if situation so arises.

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.)