

Ml- 05.08.2024  
15 Ct.18  
rkd

W.P.A. 10898 of 2022

Sri Bakreswar Roy

-vs-

The State of West Bengal & Ors.

Mr. Bharat Chandra Simai

....for the petitioner.

Dr. Sutanu Kumar Patra,  
Ms. Supriya Dubey

...for the WBCSSC.

Matter relates to transfer of the petitioner being an Assistant Teacher in a Government aided Secondary School.

Pursuant to the order dated 8<sup>th</sup> July, 2024 on behalf of the West Bengal Central School Service Commission a report in the form of affidavit has been affirmed on 23<sup>rd</sup> July, 2024 and the same is filed today and taken on record.

On perusal of the said report, it appears that as per the transfer application of the petitioner the school which is first preference of the petitioner is Egra J.L. High School. It has been averred in paragraph 6 of the report of the Commission that petitioner ranked first in the aforesaid (first preference) school; therefore there is no impediment in transferring the petitioner to the aforesaid first preference school. However, it is

stated in the report that the suspension of Utsashree portal till date has not been lifted.

The learned advocate representing the petitioner submits that petitioner is willing to be transferred to the first preference school on compliance of necessary formalities.

In view of the submission made on behalf of the petitioner and the averments which have been made on behalf of the Commission in the report the writ petition stands disposed of directing the concerned respondent authorities including the Commission to issue recommendation in favour of the petitioner for his transfer to the first preference school by three weeks from date.

If recommendation is made in favour of the petitioner for transfer the concerned authority of the West Bengal Board of Secondary Education is directed to issue transfer order by fortnight thereafter.

However, it is made clear that suspension of Utsashree portal will not stand in the way of taking steps for transferring the petitioner based on his transfer application.

Since Board is not made party in this writ petition leave is granted to amend the cause title of the writ petition in course of this day and add West

Bengal Board of Secondary Education as additional respondent.

Learned advocate for the petitioner is directed to communicate this order and the copy of the writ petition to the Board by seven days from date.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

**(Saugata Bhattacharyya, J.)**