

**13.06.2024**  
Court No. 18  
Item No.09  
(Suvendu)

**WPA 15315 of 2024**

Sandip Kumar Datta  
-Versus-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury  
..... for the petitioner

Mr. Sunit Kumar Roy  
.....for the WBCSSC

Mr. Biswajit Sau  
Mr. Biswajit Das  
.....for the State

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

The writ petition is heard in presence of  
the learned advocates representing the  
petitioner, the West Bengal Central School  
Service Commission and State respondents.

The grievance of the petitioner is non-  
consideration of the application on the part of  
the concerned respondent authorities. Through  
the said application dated 6<sup>th</sup> August, 2021, the  
petitioner has sought general transfer on the  
ground of distance. It has been submitted on  
behalf of the petitioner that such application

was rejected by the head of the institution on the ground that the petitioner was a single teacher in Life Science in the concerned school and in case of his transfer the students of the school would be academically prejudiced.

The petitioner has prayed for direction upon the authorities to process the transfer application of the petitioner and allow him to join some other school which is nearby to his place of residence.

The learned advocates representing the respondents have opposed the prayer of the petitioner on the ground that though the application was made on 6<sup>th</sup> August, 2021 on Utsashree Portal but the said portal was suspended on and from 29<sup>th</sup> September, 2022. In addition thereto, it is the contention of the respondents that the petitioner being the single teacher in Life Science and in absence of alternative arrangement is made for imparting lesson in Life Science in the concerned school, the petitioner ought not to be transferred to some other school which would be detrimental to the academic interest of the students.

Having considered the rival submissions made on behalf of the respective parties and

taking note of the relevant documents available on record, this Court is not inclined to pass an order directing the authority to decide the general transfer application of the petitioner in off-line mode at this stage during suspension of designated portal chiefly on the ground that the petitioner is a single teacher of Life Science in the school and without making local arrangement for imparting lesson in Life Science in the concerned school consideration of general transfer application of the petitioner would be detriment to the academic interest of the students.

In view of the above, the writ petition stands dismissed, without any order as to costs.

However, if alternative arrangement can be made for imparting lesson in Life Science in the concerned school, the petitioner would be at liberty to make application seeking general transfer in accordance with law in future.

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

**(Saugata Bhattacharyya, J.)**

