

ML 201
18.07.2024
Ct. No. 18
adeb

W.P.A. 22488 of 2022

Manab Das
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
...for the petitioner
Mr. Rezaul Hossain
...for the State

Mr. Sourav Mitra
,,,for the CSSC

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

The grievance of the petitioner is failure on the part of the concerned District Inspector of Schools (SE), Purba Medinipur to make local arrangement in terms of notification dated 3rd January, 2022 to facilitate transfer of the petitioner on the ground of distance from his present school to another school.

It is also contended on behalf of the petitioner that his last application dated 13th August, 2022 was made, when notification dated 3rd January, 2022 issued by the Additional Secretary to the Government of West Bengal, School Education Department was in vogue. Therefore, the concerned District Inspector of Schools being respondent no. 4 is required to take steps in terms of the said notification dated 3rd January, 2022.

West Bengal Central School Service Commission and the State-respondents are representing by learned advocates who have submitted that apart from the issue relating to application of notification dated 3rd January, 2022 at the instance of the respondent no. 4 there was suspension of Utsashree Portal with effect from 29th September, 2022 which hindered the respondent authorities to take contemporaneous steps.

Having considered the submissions made on behalf of the parties and taking note of the notification dated 3rd January, 2022 this Court directs the respondent no. 4 to make an endeavour to find out a willing teacher from neighbouring school who would take classes in the subject of the petitioner till regular incumbent joins the post in the resultant vacancy which is to be created on transfer of the petitioner. If the respondent no. 4 finds it is a “fit case” the steps shall be taken for making local arrangement for transfer of the petitioner as prayed for vide a application dated 13th August, 2022. However, the transfer application of the petitioner shall not be rejected on the ground of suspension of Utsashree Portal.

With the aforesaid observations, 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.)