

19. 07. 2024

BP
ML. 206
Court No. 18

WPA 22554 of 2022

Swarup Kumar Maity
Vs.
The State of West Bengal & Ors.

Mr. Asit Kumar De
Ms. Susmita Senapati
..for the petitioner

Mr. Sourav Mitra
..for the Central School
Service Commission

Mr. Sougata Mitra
Mr. Someswar Sinha
..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, State respondents and West Bengal Central School Service Commission.

The writ petition pertains to transfer of the petitioner from his present school to another school on the ground of distance in between the school of the petitioner and his place of residence.

It has been submitted by the learned advocate for the petitioner that the transfer application of the

petitioner has not been processed by the concerned respondent authorities since the petitioner was found as single teacher in the subject in the school. In this regard notice has been drawn to page 35 of the writ petition reflecting objection raised by the concerned respondent authorities.

Learned advocates representing the respondents have submitted that apart from the issue relating to single teacher contemporaneous steps could not be taken due to suspension of Utsashree Portal.

Having considered the submissions made on behalf of the parties, the present writ petition stands disposed of directing the District Inspector of Schools (SE), Purba Medinipur being the respondent no.5 to make an endeavor to find out willing teacher from neighbouring school whose service can be utilized temporarily in the school of the petitioner for taking classes in the particular subject till regular incumbent joins the post which is to be created on transfer of the petitioner.

The respondent no.5 shall take the aforesaid steps if it is "fit case". However, the transfer application of the petitioner shall not be rejected on the ground of suspension of Utsashree Portal.

However, there shall not be no order as to costs.

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

(Saugata Bhattacharyya, J.)

