

W.P.A. 23498 of 2024

Priyanka Pradhan
Vs.
The State of West Bengal & Ors.

Mr. Shuvra Prokash Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mondal
...for the petitioner

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
...for the State

Mr. Sunit Kumar Roy
..for the SSC

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

Learned advocate representing the petitioner submits that petitioner is a surplus teacher in the school where she is presently working that being the reason for making application dated 22nd July, 2024 for utilizing service of the petitioner in any other school. Petitioner prays for consideration of her offline application dated 22nd July, 2024 by the concerned respondent authorities.

Respondents are represented by learned advocates.

On perusal of the application dated 22nd July, 2024 it appears that this application has not been made since petitioner is claiming to be surplus teacher rather it transpires that petitioner has made an application for transfer on the ground of distance in between petitioner's school and her place of residence. Since petitioner was

appointed on 21st August, 2010 she could have applied for transfer on the ground of distance on Utsashree Portal during the period when Portal was alive. However, for the reasons best known to the petitioner she did not apply for transfer. Offline application seeking transfer on the ground of distance at this stage ought not to be allowed since there is no emergent need to allow the offline application seeking transfer on the ground of distance. Had it been a case that the applicant teacher was suffering from serious ailment or for any other special reasons as contemplated under the relevant Transfer Rules as amended from time to time question would have been different.

It is also contended that being surplus teacher petitioner has got right to be transferred but it is within the domain of the respondent authorities to formulate policy that how they will utilize the surplus teacher.

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.)