

14.11.2024
Court No. 18
Item No. 06
(Suvendu)

WPA 25876 of 2024

Samiul Hossain

-Versus-

The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri

Mr. Rajesh Naskar

Mr. Ankan Mondal

...for the petitioner

Ms. Ipsita Banerjee

.....for the State

Mr. Kanak Kiran Bandyopadhyay

.....for the WBCSSC

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

Matter relates to transfer of the petitioner
on the ground of distance in between present
school of petitioner and his place of residence.

An application for transfer was made on
Utshasree portal on 23rd September, 2022 which
was forwarded by the school authority where
petitioner is presently working to the concerned
District Inspector of Schools (SE) for taking
further steps. However, school authority found
that petitioner is a single teacher in the subject

in the school and it is contended on behalf of the petitioner that on receipt of transfer application concerned District Inspector of Schools (SE) is required to follow Government Notification dated 3rd January, 2022 to find out willing teacher who can man the post of the petitioner which would facilitate petitioner's transfer.

State respondents and West Bengal Central School Service Commission are represented by learned advocates.

It is submitted on behalf of the Commission that unless transfer application is forwarded to the Commission no decision can be taken on such application.

Having considered the submission made on behalf of the parties, it is not found whether any step has been taken by the concerned District Inspector of Schools (SE) in terms of Government Notification dated 3rd January, 2022 or not.

In terms of the said Government notification dated 3rd January, 2022 District Inspector of Schools (SE), Uttar Dinajpur being respondent no. 5 is directed to make endeavour to find out a willing teacher from neighbouring schools who can man the post of the petitioner

till regular incumbent joins the post. If respondent no.5 finds a willing teacher who can man the post of the petitioner temporarily in terms of Government Notification dated 3rd January, 2022, petitioner's transfer application shall be considered in accordance with law by the concerned respondent authority.

Accordingly, writ petition stands disposed of.

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)