

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side
WPA 1013 of 2024
Srabani Ghosh
-versus
The State of West Bengal & Anr.**

Mr. Sudip Ghosh Chowdhury,
Mr. Soumyajit Laskar
....for the petitioner.
Mr. Pretom Das,
Mr. Sourav Sarkar
....for the State.
Mr. Anirban Banerjee
....for the respondent no.2.
Mr. Sunit Kumar Roy
....for the respondent no.3.

Affidavit of service filed in Court today is taken on record.

The petitioner is an Assistant Teacher in Physics (H/PG) in Lakhipur High School, P.O.- Lakhipur, District – Uttar Dinajpur and says to be serving thereat from 14th August, 2010. The petitioner says that her residence is at Siliguri which is about 75 Kms. from her present place of appointment. It is, therefor, not possible for her to regularly travel to the school and come back home. The petitioner has also given birth to a male child who is about 3 years of age. It has now become difficult for the petitioner to stay at Uttar Dinajpur with the minor child as the petitioner is suffering from various gynecological disorder since having given birth to the child. The child is also suffering from serious health issues.

The petitioner applied for transfer through online mode vide Utsashree portal. The petitioner's request was turned down on the ground that the disease of the minor child was not a notified one. The operation of the Utsashree portal is now suspended. The petitioner says that the disease of her minor child has been identified and as such, seeks another opportunity to apply for transfer. As the Utsashree portal is suspended, the petitioner says she should be given an opportunity to make a further prayer for transfer on offline mode with all particulars. The petitioner says that there has been a change in situation from the refusal of her earlier prayer for transfer.

Considering the materials on record and after hearing the parties, I feel that justice will be sub-served if I direct the petitioner to apply for transfer on offline mode to the District Inspector of Schools (S.E.), Uttar Dinajpur with all necessary documents within a period of 2 weeks from date.

The District Inspector of Schools (S.E.), Uttar Dinajpur, within 2 weeks from the date of receipt of such application, shall scrutinize the documents and if it is found that the application made by the petitioner is otherwise in order, the same should be forwarded to the Commissioner of School Education and the Chairman, West Bengal Central School Service Commission.

In the event such application is forwarded to the Commissioner and the Chairman, they should take a decision with regard to the petitioner's prayer for transfer within a period of 6 weeks from the date of receipt of the papers.

The Commissioner and the Chairman whoever ultimately decides the petitioner's application for transfer may, if necessary, call the petitioner for a personal hearing.

If the District Inspector of Schools (S.E.), Uttar Dinajpur finds that the application made by the petitioner is not in order then he should immediately inform the petitioner regarding the defects and the mode of curing the same. On removal of defect, the application should be forwarded as directed hereinabove.

Nothing further remains to be adjudicated in this writ petition. The same is accordingly disposed of.

Since I have not called for any affidavits, allegations contained in this writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of necessary formalities.

(Arindam Mukherjee, J.)