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01.08.2024
Ct. No.02
NB

HIGH COURT AT CALCUTTA
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction

WPA 1435 of 2024

Kusum Chaudhary
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Mr. Soumyajit Laskar.
...for the petitioner.

Mr. Nabankur Paul,
Ms. Pratusha Dutta Chowdhury.
...for the State.

Mr. Sunit Kr. Roy,
Mr. Subhasish Misra.
...for the respondent no.3.

Learned counsel appearing on behalf of the petitioner submits as follows. By an order dated 03.04.2024 passed by a coordinate Bench of this Court in WPA 394 of 2024, the concerned respondent authorities were directed to consider the petitioner's transfer application and take a reasoned decision. By an order dated 07.05.2024, the District Inspector of School (SE) Siliguri disposed of the prayer, inter alia, by holding that as the Utsashree portal was suspended, the District Inspector of School could not forward the transfer application to the Central School Service Commission. This is the reason why the transfer application could not be considered at present. This is a clear violation of the mandate set by this Court in its order dated 03.04.2024. If the Utsashree portal was suspended,

the application should have been forwarded to the School Service Commission offline.

Learned counsel appearing on behalf of the School Service Commission submits that the District Inspector of School has not forwarded the application to the concerned authority for consideration.

Learned counsel appearing on behalf of the State submits that the entire difficulty arose because of suspension of the Utsashree portal.

It appears that by an order dated 03.04.2024 passed by a coordinate Bench in WPA 394 of 2024, this Court directed the concerned authorities to consider the transfer application of the petitioner. If the Utsashree portal was suspended, the same should have done off-line.

In view of the above, the impugned order is set aside and let the petitioner come up with a fresh application in physical form for transfer before the District Inspector of Schools, Siliguri, within a week from this date. Within a week thereafter, the said District Inspector of School shall forward the same for consideration to the respondent no.3. The Chairman, West Bengal Central School Service Commission, within a period of three weeks thereafter, shall consider the petitioner's prayer in accordance with law and intimate the outcome of such consideration, within a week thereafter to the petitioner and shall also take further steps, as required.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)