

W.P.A. 204 of 2024

**Joydev Purakait
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra
Ms. Debalina Chakraborty
...for the petitioner

Mr. Tapan Coomar Dey
Mr. Debanshu Bandu
...for the State

Mr. Sunit Kumar Roy
...for the SSC

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja
...for the Board

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

Petitioner prayed for transfer by making application on Utsashree Portal on 2nd June, 2022 on general ground (distance). School authority where petitioner was working forwarded the transfer application of the petitioner to the District Inspector of Schools (SE), Purba Medinipur for taking further steps. Respondent no. 4 returned the transfer application of the petitioner to the school authority on 16th June, 2022 since school where petitioner is working does not have any student and it is a zero enrolment school. It was endorsed by the respondent no. 4 that petitioner is required to

wait for administrative order. However, it is submitted on behalf of the petitioner till date no order has been passed by the concerned State authority.

Since the school in question does not have any student and it is a zero enrolment school Commissioner of School Education, West Bengal is directed to take decision for utilization of service of the petitioner in another school. Let such decision be taken by the Commissioner of School Education by 12 (twelve) weeks from the date of communication of this order after granting opportunity of hearing to the petitioner.

Leave is granted to the learned advocate for the petitioner to add Commissioner of School Education, West Bengal as additional respondent in course of this day. However, service of notice upon additional respondent stands dispensed with since State respondents are represented by learned advocate.

The writ petition stands disposed of.

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

(Saugata Bhattacharyya, J.)