

38 06.03.2025
NB Ct. 02

Calcutta High Court
In The Circuit Bench At Jalpaiguri
Appellate Side

WPA 505 of 2025

Sudeb Das
Vs.
The State of West Bengal & Ors.

Mr. Shuvro Prakash Lahiri.
...for the petitioner.

Mr. Subir Kumar Saha,
Mr. Sandip Guha Roy.
...for the State.

Mr. Sunit Kr. Roy
...for the SSC.

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

Learned counsel appearing on behalf of the
petitioner submits as follows. The petitioner is an Assistant
Teacher in the subject of Biological Science at the
Chengmari (W.M.E.) High School in Jalpaiguri. He prayed
for transfer through the Utsashree portal on the medical
ground of his spouse. The examination by the CMOH has
already been conducted and the matter is pending at the
level of the DI. Yet, till date, the application has not been
decided.

Learned counsel appearing on behalf of the School
Service Commission submits that in the event the opinion
of the CMOH goes in favour of the petitioner, the matter
may be referred to by the DI to the School Service

Commission and an appropriate decision may be taken in accordance with law.

In view of the above, let the concerned DI forward the relevant papers to the School Service Commission in accordance with law at the earliest, preferably within a period of three weeks from the date of communication of this order and once the papers are available with the Commission, let the Chairman of the Commission decide on the application for transfer in accordance with law and as expeditiously as possible, preferably within a period of four weeks from the date of receipt of such papers.

The suspension of the portal in question shall not come in the way of taking such decision.

In the event, vacancies at the preferred schools have been filled up by then, fresh vacancies may be offered by the respondent authorities.

With these observations, the writ petition is disposed of.

As affidavits were not called for, allegations contained in the writ petition are deemed not to have been admitted.

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

(Jay Sengupta, J.)