

**Item no. 14
20.08.2025
Ct. 02
sayandeep**

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 1641 of 2025

**Sanjib Chakraborty
versus
State of West Bengal & Ors.**

**Mr. Deborshi Dhar
...For the Petitioner.**

**Mr. Pretom Das
Ms. Pratusha Dutta Chowdhury**

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

1. The present writ petition has been filed, inter alia, praying for a direction upon the respondent No. 6 to dispose of the petitioner's transfer application which is pending with the said respondent. The petitioner was appointed as an assistant teacher (class ix and x) at Gadopota Junior High School Block-Sitalkuchi, Cooch Behar. The petitioner has already completed the mandatory five years of service.
2. The petitioner seeks for transfer as according to the petitioner, the distance between his residence and the School where the petitioner is imparting education is about 57 kilometers. The petitioner also has a medical condition.

- 3.** Having heard the learned advocates appearing for the respective parties and noting from the submissions of the parties that the online portal (Utsashree) has remained suspended, I am of the view that without going into the issue as to whether the petitioner's case warrants for transfer, the petitioner's representation for being considered for transfer in terms of West Bengal School Service Commission (General Transfer, Transfer on Special Grounds and re-allocation) Rules, 2015 (hereinafter referred to as the said Rules) cannot be denied simply because the portal has remained suspended. Since the said Rules confers a right to the petitioner to be considered for transfer, the petitioner's application for transfer cannot be kept pending, the petitioner has a right to know the outcome of his application.
- 4.** Further since, the online portal has been suspended, there cannot be any embargo on the part of the respondent No. 6 to accept/consider the petitioner's application for transfer in offline mode.
- 5.** In view thereof, I direct the respondent No. 6 to consider the petitioner's application for transfer and if found eligible, to forward the same to the respondent No. 5 for the said respondent to

process the petitioner's application upon seeking a report from the concerned Chief Medical Officer and if the petitioner is found eligible, to forwarded the same to the respondent No. 4 for the said respondent to take steps in accordance with law.

6. With above observations and directions, the writ petition is disposed of.
7. There shall be no order as to costs.
8. Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Raja Basu Chowdhruy, J.)