

14 **13.05.**
2026
Ct. No. 24

Ab

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 5999 of 2026

Barun Kumar Dey and another
Vs.
The State of West Bengal and others.

Mr. Sudip Ghosh Chowdhury,
Ms. Pritha Biswas,
Ms. Upasana Sarkar.

... for the petitioners.

Ms. Saswati Chatterjee,
Mr. Bibek Dutta.

... for the WBBSE.

Mr. Kanak Kiran Bandyopadhyay.

... for the WBCSSC.

1. The affidavit of service filed today is taken on record.
2. In spite of service, none appears on behalf of the school authorities.
3. The petitioners have applied for mutual transfer sometime in 2026. However, both the petitioners have not been able to access the online portal due to technical snag.
4. Though the Utsashree portal is functional insofar as the mutual transfers are concerned, the petitioners have been unable to access the same. A mere technical irregularity cannot be permitted to denude the rights of the persons. This issue has been conclusively decided in MAT 1706 of 2024 (Mithun Roy vs. State of West Bengal and others).
5. The statute creates a right for seeking transfer by a teacher, mere devise to the means of access to such

entitlement is only for the administrative convenience and subsequently, if such facilities are suspended, it does not take away the statutory right bestowed upon the teacher under the West Bengal School Service Commission (General Transfer, Transfer on Special Ground and Reallocation) Rules, 2015.

6. In view of the fact that the petitioners could not access the online portal, they have applied in the offline mode. However, the same has not been considered by the respondent no. 3, as it was made in the offline mode.
7. As the petitioners' right cannot be curtailed due to the technical snag, the respondent no. 3 is directed to consider the applications of the petitioners in the offline mode. Such direction will be considered and disposed of by July 15, 2026, if the petitioners are otherwise eligible for such transfer.
8. With the afore-stated directions, the writ petition is, thus, disposed of.
9. There shall, however, be no order as to costs.
10. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)

