

13.05.2026

WPA 9064 of 2026

**Sajal Nayak
Vs.
The State of West Bengal & Ors.**

Mr. P.K. Panja
Mr. Sayan Dev Kumar

... .. for petitioner

Mr. Kanak Kiran Bandyopadhyay

... .. for the WBCSSC

1. Affidavit of service as filed in Court be kept on record.
2. In spite of service, none appears on behalf of the school authorities.
3. The petitioner, an Assistant Teacher, has been serving in the school since 2009 and had applied for transfer on the general ground of distance.
4. The said application has been rejected by the school on the ground that the petitioner is beyond 10 per cent ratio of the teachers who are seeking transfer.
5. The petitioner seeks liberty to file fresh application in the Offline mode since the 'Utsashree Portal' is temporarily suspended.
6. As held by this Hon'ble Court in MAT 1706 of 2024 (Mithun Roy Vs. State of West Bengal & Others) that suspension of a portal cannot negate the right of a person as enshrined in a Statute.

7. The same cannot be curtailed merely because the facilitating procedure of the Offline portal is presently unavailable.
8. In view thereof, the petitioner is directed to file fresh application for transfer in the prescribed format with the school authority in the Offline mode.
9. The school authorities are directed to consider the application in the Offline mode, which may be made by the petitioner strictly in accordance with law and as expeditiously as possible.
10. With these aforesaid directions, the writ petition is disposed of.
11. There shall, however, be no order as to costs.
12. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)